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Supreme Court, U.S.
FILED

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OFFICE OF THE CLERK

No. _____

IN THE
SUPREME COURT OF
THE UNITED STATES

OCTOBER TERM, 2000

Salvatore Moretti,
Petitioner,
vs.
United Water Resources, Inc., City of Hackensack, and State of New Jersey,
Respondents.

ON PETITION FOR WRIT OF CERTIORARI
TO THE SUPREME COURT OF NEW JERSEY

Salvatore Moretti, Pro Se
Canal Street Station
P. O. Box 1306
New York, New York 10013-0876

Vol. One of Two

172pp

EDITOR'S NOTE

THE FOLLOWING PAGES WERE POOR HARD COPY AT THE TIME OF FILMING. IF AND WHEN A BETTER COPY CAN BE OBTAINED, A NEW FICHE WILL BE ISSUED.

QUESTIONS PRESENTED FOR REVIEW

1. When the trial court [App. 3] deferred to the state tax court on the issue of over-taxation (assessments were $1,058,600)[App. 141], but that court refused to consider testimony and dismissed Moretti's complaint at a motion for summary judgment; and when the trial court deferred to an administrative court as to water consumption, which court neglected to test the water meter, did the appeal courts deny Moretti's right to a trial on the matter of administrative forfeiture, considering that Moretti was robed in a federal banking institution, Citibank, of his rental deposit of over $7,000 which was allocated to pay the water bill in dispute?

2. Given the conflicts in the case of County Sheriffs Terhune and Alpert who sold Moretti's house at 390 Park Street, for $80,000 below assessed value, which house was resold at a profit of $109,000 within two month's, (after Hackensack Police Chief Zisa jailed Moretti when he protested he could not enter 390 Park St. since the doors were sealed shut)[App. 18], and (after several arson-fires in the neighborhood, including 390 Park St.), given that Sheriff Ciccone listed Moretti's 20 unit apt. house at 391-5 Park St., for Sheriff's Sale (which building was owned free and clear since 1979), did they violate Moretti's constitutional rights since the properties in question were listed as being in a "high drug-use zone" [App. 206] by the appeal courts, and both Terhune [App. 214] and Ciccone [App. 212] resigned amid scandals relating to arson [App. 128], theft, and conspiracy to commit official corruption, while Zisa announced [App. 211] he was seeking Ciccone's position, apparently seeking additional campaign funds, given that Zisa's campaign funds originated from the lawyers for Citibank, and the lawyers filing the motions to dismiss Moretti's tax court appeals, i.e. Zisa's campaign treasurers?

3. In the matter sub judice did the defendants state and city [Resolution 260, App. 79], and water utility violate the federal Civil Asset Reform Act of 2000, as well as the state law on condemnation proceedings, N.J.Stat. Ann. 20:3-2?

4. Has N. J. acted with bias in denying plaintiff Moretti a

license to practice law, despite Moretti's graduation from law school [after his attorney, Hollis, was suspended from the practice of law [App. 184, App. 188], thereby invalidating their complaint that he does not pay his bills since he is merely a custodian at the real property in question?

LIST OF PARTIES

1. United Water Resources, Inc., a water utility, represented by John P. Wallace, Esq., 216 East Ridgewood Ave., Ridgewood, New Jersey 07450
2. The State of New Jersey, represented by the Attorney General Farmer, Office of the Attorney General, Hughes Justice Complex, 25 West Market Street, P. O. Box 080, Trenton, New Jersey 08625.
3. The City of Hackensack, represented by Richard Salkin, Esq., 50 Main Street, Hackensack, New Jersey 07601.

RELATED CASES

United States Court of Appeals for the Third Circuit, Moretti v. United Water Resources, Inc. et al., 98-5043, February 20, 1998

United States District Court, Moretti v. United Water Resources, Inc., et al., 97-1742 (JWB), November 25, 1997

United States District Court (Newark, N. J.), Moretti v. City of Hackensack, et al., 92-4206 (HAA-Harold A. Ackerman), June 21, 1993.

United States District Court, Moretti v. Dinice & Sullivan, 93-0528, JCL-Lifland), August 10, 1995.

United States Bankruptcy Court, In re Salvatore Moretti, Case No. 97-2418, July 10, 1997

New Jersey Supreme Court, In the Matter of Robert A. Hollis, 95 N.J. 253, February 3, 1984; 134 N.J. 124, October 12, 1993. [Attorney for Salvatore Moretti suspended from law practice in New Jersey by the N. J. Supreme Court).

New Jersey Tax Court, Moretti v. City of Hackensack, 8336-93,

also 1994 Docket.

Superior Court of New Jersey, Bergen County, Law Division, Moretti v. Hackensack Water Company, predecessor to United Water Resources, Inc., [Docketed Judgement from Ellen Koblitz' decision in DC-705907-92], DJ-111274-95, April 2, 1997.

Special Civil Part of the N. J. Superior Court, Bergen County, Tenancy, etc. Judge Ellen Koblitz' decisions in the cases of Moretti v. Aquanetta Fields, DC-4327-93 [tenancy]; Moretti v. Hackensack Water Co. [water utility rates and water overcharges]; Ballard v. Moretti, SC-585-93.

Moretti v. Citibank, New York Supreme Court, Kings County, 2727-96.

Listing Supplied By Citibank Attorney:

Moretti v. City of Hackensack, certif. denied, 143 N.J. 324, 670 A.2d 1065 (1996); Moretti v. Dinice, cert. denied, ___ U.S. ___, 115 S.Ct. 2580, 132 L.Ed.2d 830(1995); Moretti v. New Jersey, cert denied, ___ U.S. ___, 115 S. Ct. 1698, 131 L.Ed.2d 561 (1995); Moretti v. Red Roof Inn, cert denied, ___ U.S. ___, 115 S. Ct. 568, 130 L.Ed. 486 (1994); Moretti v. Zisa, cert denied, ___ U.S. ___ 115 S.Ct. 71, 130 L.Ed.2d26 (1994); Moretti v. Multi-Pak Corp., cert denied, 464 U.S. 988, 104 S.Ct. 475, 78 L.Ed. 2d 675 (1983), rehearing denied, 465 U. S. 1054, 104 S. Ct. 1334, 79 L.Ed.2d 729 (1984)

Superior Court of New Jersey, Bergen County, Moretti v. Hackensack Water Co., BER-L-8191-92

Fayehun v. Moretti, Special Civil Part, Bergen County, Nov. 12, 1993

Office of Administrative Law, Moretti v. Hackensack Water Co. (predecessor to United Water Resources, Inc.) PUC 07022-95

Hackensack Municipal Council, Resolution 260, in re Hackensack Water Co. and Moretti, August 17, 1992.

Moretti v. Jaime Calle, Small Claims (Bergen), SC-5820-96

Moretti v. Maria Diaz, SC-5812-96

Moretti v. Enrique Garcia/Flores, SC-5816-96

Moretti v. Carlos Morocho, SC-5809-96

Moretti v. Segundo Toalongo, SC-5822-96

Moretti v. Uvieghara, SC-5979-96
Moretti v. Raymond Veloz, SC-5810-96
Moretti v. Alberto Yunganaula, SC-5806-96

TABLE OF CONTENTS

	Page
Questions Presented	i.
List of Parties	ii.
Related Cases	ii.
Table of Authorities	iv.
Index to the Appendix	v.
Petition for Writ of Certiorari	1.
Judgments Sought to be Reviewed	1.
Jurisdiction	1.
Statement of the Case	2.
Reasons for granting the Writ	5.
This Case is Representative of the Five Thousand Properties Condemned and Sold at Sheriff's Sales in Bergen County since 1987 by Sheriffs Terhune, Alpert, and Ciccone; It Raises Important Issues on the Constitutional Protections Afforded Citizens to Own Property, Elect Representatives, and Defend against Allegations of Criminality in the face of Election Irregularities and Political Corruption.	
Conclusion	29.

TABLE OF AUTHORITIES

New Jersey v. Jones, 143 N.J. 4 (Supreme Court of N. J.), reversing 277 N.J. Super. 113.	3.

Index to the Appendix

1. Order filed October 4, 2000 dismissing the Appeal Salvatore Moretti v. United Water Resources, Inc., and City of Hackensack, Case No. 49,242 App. 1

2. Order filed January 14, 2000 affirming trial court decision. Filed by Appellate Division, A-1901-98T2, Salvatore Moretti v. United Water Resources, Inc., and City of Hackensack. App. 2

3. Order entered by the Trial Court, Superior Court, Bergen, Judge Stark, October 13, 1993. Salvatore Moretti v. United Water Resources, Inc., and City of Hackensack, BER-L-5678-97. App. 3

4. Letter Brief filed by Moretti on January 21, 1999. Filed with Appellate Div., Salvatore Moretti v. United Water Resources, Inc., and City of Hackensack, A-1901-98T2. App. 4

5. Motion for Reconsideration filed by Moretti with the Supreme Court of New Jersey, on November 30, 1999, 391-395 Park Equities, L.L.C. vs. Salvatore Moretti, Hackensack Water Co., Mayor John Zisa, State of New Jerey, Louis J. Dinice, and Henry J. Amoroso, Supreme Court No. 48,551, Chancery (Bergen) No. F-7502-98. App. 15

6. Notice by the Clerk of the New Jersey Supreme Court, dated February 17, 2000, in re 391-395 Park Equities, L.L.C. vs. Salvatore Moretti, Hackensack Water Co., Mayor John Zisa, State of New Jerey, Louis J. Dinice, and Henry J. Amoroso, Supreme Court No. 48,551. App. 20

7. Notice by the Clerk of the New Jersey Supreme Court, dated March 23, 2000, in re Appeals numbered 48,238, 48,551, and 49,242. App. 21

8. Index to Innocent Owners Defense. App. 22

9. Moretti v. Citibank, et al., Case No. 2727-96, Supreme Court of New York, Motion for Summary Judgment. App. 60

10. Deposition in re Moretti v. Citibank, et al., App. 62

Case No. 2727-96, Supreme Court of New York

11. Salvatore Moretti v. Dr. Stephen Sherer, Hackensack University Medical Center, and Maple Glen at Fair Lawn Nursing and Rehabilitation Center, BER-L-7058-98. Complaint App. 67

12. Moretti to Appellate Division, Salvatore Moretti v. Dr. Stephen Sherer, Hackensack University Medical Center, and Maple Glen at Fair Lawn Nursing and Rehabilitation Center, BER-L-7058-98, App. Div. A-497-99T1.. App. 71

13. Theodore Trautwein, A.J.S.C. to Salvatore Moretti, dated March 21, 1979. The Assignment Judge Dismissed the complaint filed against Friendship House, et al., which was filed by Robert Hollis, Esq., resulting in Hollis' Disbarment by Supreme Court. App. 74

14. Brief filed by City of Hackensack with Appellate Division, A-1901-98T2, seeking to affirm trial court (Judge Stark) dismissal of the complaint. App. 75

15. Resolution adopted by City of Hackensack on August 17, 1992 regarding Salvatore Moretti's account with the Hackensack Water Company, a.k.a. United Water Resources, Inc. App. 79

16. Summary of Transcripts of Trials held by Hackensack Municipal Judge Louis Dinice from August 17, 1992 to December 3, 1993 regarding water bills. App. 81

17. Letter to Attorney General of New Jersey by Assemblyman Charles "Ken" Zisa (who is also the Chief of Police of Hackensack) printed in the Bergen News on August 30, 2000. App. 86

18. September 8, 2000 Edition of the Record, "Zisa fails to ignite probe of Schmidt use of criminals' money; rule OK." App. 88

19. Complaint filed April 30, 1998 in Superior Court, Bergen, by Water Company, in case of United Water v. Salvatore Moretti App. 91

20. - Water Usage at Eight Comparables to Moretti's Twenty Unit Apartment House, filed with the Hackensack Municipal Court, Judge Dinice presiding. App. 93

21. Complaint filed with U. S. District Court, Salvatore Moretti v. State of New Jersey, Ellen Koblitz and Public Defenders Officeof Bergen County, Bergen County Prosecutor John Fahy, Hackensack City Prosecutor Henry Amoroso, filed December 16, 1993, Case No. 93-5577. App. 94

22. The Record, August 24, 1999, French Buyer taking over United Water Operation to Remain in N. J. After $1.8 B Sale is finalized. App. 123

23. Chase Mortgage Services vs. Salvatore Moretti and Mrs. Salvatore Moretti, his wife; The Bank of New York, N.A.; Hackensack Water Company; Mayor John Zisa; Louis J. Dinice; Timothy J. Sullivan; Ellen Koblitz, J.S.C. and State of New Jersey; and Henry Amoroso, Brief filed by Moretti with Appellate Division May 1, 1999. App. 126

24. Petition for Writ of Certiorari filed by Moretti in the case of Salvatore Moretti, Petitioner, vs. Chase Mortgage Services, Respondent, October Term, 1998. N. J. Supreme Court Docket No. 46,717, Chancery No. F-16923-97. Foreclosure and Sale of 390 Park Street, Hackensack. Filed Oct. 9, 1998. App. 162

25. The Record, Article published April 13, 1978, "City, police, neighbors back mental health center." App. 181

26. The Record, Article published April 18, 1978, "A sad, familiar story" App. 182

27. In the Matter of Robert A. Hollis, an Attorney at Law, decided February 3, 1984 by N. J. Supreme Court. App. 184

28. In the Matter of Robert A. Hollis, an Attorney at Law, decided October 12, 1993, by N. J. Supreme Court, cite as 134 N.J. 124, 631 A. 2d 545. App. 188

29. Notice of Appeal to New Jersey Supreme Court, Moretti v. United Warter Resources, Inc. et al. 49,242, App. Div. A-1901-98T2. App. 190

30. Notice by Salvatore Moretti to United States Supreme Court in re Salvatore Moretti v. United Water Resources, Inc. et al., 49,242, enclosing Innocent Owners Defense - Index to six thousand page document. App. 197

31. Salvatore Moretti v. Joseph Ciccone, Sheriff of Bergen County, and the Bergen County Sheriff's Department, United States District Court, Newark, N. J., Case No. 4809 (FSH). Complaint - Deficiency Action. App. 199

32. Case describing the Hackensack neighborhood occupied by Moretti's apartment house, N. J. v. Kittrell, 145 N.J. 112, 678 A. 2d 209 (N.J. Supreme Court, 1996). App. 202

33. New Jersey v. Leo R. Jones, Appellate Division, November 14, 1994, 277 N.J. Super. 113, 649 A. 2d. 89. Case concerning apartment house adjacent to 390 Park Street, Hackensack, and across from 391 Park Street, Hackensack, N. J. App. 203

34. N. J. v. Leo R. Jones, N. J. Supreme Court reverses Appellate Division, December 13, 1995, 143 N.J. 4. App. 207

35. Jan. 3, 2001, The Bergen News. Beleagured sheriff Ciccone finds himself target of poem. App. 211

36. Jan. 17, 2001, The Bergen News. BC sheriff pleads guilty to misconduct, campaign irregularities. App. 212

37. Dec. 16, 2000, The Record. Terhune resigns amid scandal. App. 214

38. Sept. 7, 2000, The Press Journal, Time to impeach judges, by State Sen. Gerald Cardinale. App. 217

39. The Record, March 14, 2000. 4 suspended in Cliffside Park scandal; Theft-arson conspiracy rocks town. App. 218

40. Bergen County Prosecutor's Office, March 10 App. 221

2000 Press Release. Bergen County Grand Jury Indictment - Theft-arson conspiracy.

41. Sample of Numerous Bergen County Sheriff's Sales by Bergen County Sheriff Jack Terhune, recently resigned as Head of Trenton, State Prison. App. 223

42. August 14, 2000 Letter to the Superior Court, Bergen, et al. w.r.t. removal of fuel oil tank, re-sale of 390 Park St., Hackensack, N.J. at $109,000 profit ($165,000-$56,000) July 18, 1999 after Feb. 13, 1999 eviction of Moretti by Sheriff's Office, prohibition of police officers such as Charles "Ken" Zisa running for political office, at I.O.D. 2400, contributions of Zisa campaigns, etc. App. 225

43. N. J. Senate Meeting, Review of Forfeiture Law, Dec. 11, 1995, Terence Farley, State Sen. Kosco, etc. App. 233

44. N. J. Senate Meeting, Review of Forfeiture Law, March 14, 1996, Terence Farley, State Sen. Kosco. App. 236

45. N. J. Senate Meeting, Oct. 3, 1995. Atty. General Deborah T. Poritz, Review of State Commission of Investigation (SCI), Doe v. Poritz (Meagan's Law), 1994 Report on Marlboro Psychiatric Hospital. App. 239

46. Doe v. Poritz, Synopsis of Case 283 N.J. Super 372, 661 A. 2d 1335 (N.J.Super. L. 1995). App. 246

47. Doe v. Poritz, 142 N.J. 1, 662 A. 2d 367 (Stein, Dissent). Community Notification Laws App. 247

48. Doe v. Poritz, 32 Cal. Western L. Rev. 331 (1996). Megan's Law. App. 250

49. N. J. Legislative Meeting, March 15, 1995, Adult Diagnostic & Treatment Center, Assemblyman Charles "Ken" Zisa. App. 254

50. The Record, Dec. 19, 2000, Assemblyman Zisa will seek Sheriff's Job. App. 258

51. Senate Judiciary Committee on Wire Tapping, May 21, 1982. Att. Gen. Kimmelman. App. 258

52. N. J. Senate Law & Public Safety, Electronic App. 271

Monitoring/Home Confinement Program administered by Dept. of Corrections. April 21, 1992. **Bergen County Sheriff Jack Terhune.**

53. N. J. Report on Electronic Surveillance, Oct. 29, 1968. Joseph Woodcock. Organized Crime & Official Corruption. Title III of the Omnibus Crime Control & Safe Streets Act of 1968, 18 U.S.C.A. § 2516(2). App. 278

54. The Record. May 13, 1981. Salvatore Moretti in running for City Council against Frank Zisa. App. 279

55. Moretti to Bergen Cty. Prosecutor & Sheriff & Superior Court w.r.t. taxation & Citybank robbery on Aug. 8, 1994. Process of Working a Forfeiture. App. 282

56. N. J. Election Law and Enforcement Commission R-1 Reports, 1997 Hackensack City Council Race. District 37 1997 Assembly Race. App. 291

PETITION FOR WRIT OF CERTIORARI

Petitioner Salvatore Moretti respectfully prays that a writ of certiorari issue to review the judgment of the Supreme Court of New Jersey in this case.

JUDGMENTS SOUGHT TO BE REVIEWED

1. Supreme Court of New Jersey, Salvatore Moretti, Plaintiff-Respondent vs. United Water Resources, Inc., City of Hackensack, and State of New Jersey, Defendants-Movants, Docket No. 49, 242, Order Granting Motion to Dismiss the Notice of Appeal, Supreme Court Order Filed October 4, 2000.
2. Superior Court of New Jersey, Appellate Division of the Superior Court, Salvatore Moretti, Plaintiff-Appellant vs. United Water Resources, Inc., City of Hackensack, and State of New Jersey, Defendants-Respondents, Docket No. A-1901-98T2, Affirmance of the Trial Court dismissal of the Complaint for the reasons stated below. Order Filed January 14, 2000.
3. Superior Court of New Jersey, Trial Court, Bergen County, Salvatore Moretti, Plaintiff vs. United Water Resources, Inc., City of Hackensack, and State of New Jersey, Defendants. Order filed October 13, 1998 dismissing the complaint for failure to state a cause of action.

JURISDICTION

Jurisdiction is sought pursuant to 28 U.S.C. Section 1257. Appeal is from the final judgment of the New Jersey Supreme Court. The N. J. Supreme Court rendered its decision on October 3, 2000 (App. 1). The Appellate Division affirmed the trial court on January 14, 2000 (App. 2). The Trial Court, the Superior Court of New Jersey, Bergen County, Judge Stark, dismissed the complaint filed by Moretti on October 13, 1998 (App. 3).

STATEMENT OF THE CASE

Petitioner Salvatore Moretti has been the record property owner of the subject real property since 1958. He attended schools in Englewood, New Jersey, for eight years, in New York City for four years, as well as in Washington, D. C. for four years. His graduation from George Washington University (major in psychology) and his law degree from New York Law School peculiarly fitted him for operation of the subject twenty unit apartment house. The buildings are located one hundred seventy feet from the railroad to the Hoboken train terminals to New York City. The train stops at Passaic Street; the buildings are located at the cross streets of Park and Passaic Streets.

The petitioner met Robert Hollis, Esq. when Hollis was running for city council (Innocent Owner's Defense, Pages 3145-3183) Hollis drafted a complaint concerning the adjacent halfway house opened by the property owner by the funeral parlor, Gutterman-Musicant, across the street. The Record newspaper discussed the complaint filed in several editorials (App. 181, 182), but despite publication of the existence of the complaint, Hollis was unable to serve the complaint as required by the New Jersey rules of court, for reasons which are still in doubt. The letter from the assignment judge of Bergen County, Theodore Trautwein, at that time (App. 74) expresses the tone of the courts toward petitioner. Hollis was a competent attorney who lived nearby and who represented Moretti at tax board hearings, at rent board hearings, at zoning board hearings, at Dept. of Transportation hearings, and before the city council. Hollis' inability to continue to represent petitioner in 1979 marks the beginning of Moretti's difficulties in the state court system. Mayor Frank Zisa conveyed the same irritation with petitioner Moretti when he threatened to have him thrown out of the city council chambers as the January 3, 1979 Record article states. It also marks the beginning of petitioner's law school attendance and Hollis' license suspension (App. 184, App.

188).

As a result of rental increases allowed by the Hackensack rent board, which were put into effect after four years of attendance at hearings, the property was upgraded and continued to be maintained in code compliance by the resident-petitioner who also maintained an office at 391-B Park Street, a second floor apartment. This condition lasted until 1987 when real estate taxes tripled from $225,000 to $792,300; along with tax increases, the excess assessment was the basis for a complaint filed with the federal district court, which was dismissed by Judge Ackerman [(92-4206 (HAA)].

Upon increasing the rents in 1978, a number of tenant move-outs occurred. The water utility was convinced that petitioner was not paying his water bill. In fact, when the rental increases was allowed, move outs lasted many months. An investigator from the water company parked across the street to view the building, suspecting that a fraud was being perpetrated on the water company by the owner of the apartment house, Park Court Apartments. The car parked there from 4 p.m. until 6 p.m. each days for several months to inspect what was going on. The Hackensack Water Company, demanded to change the water meter. Quarterly billing was read by inspectors, and the replacement of the water meter did not result in the increased readings expected. Then, the home office allowed for a special meter replacement which produced higher readings, which eventually produced the dispute subject of the within litigation.

In 1980, Park Plaza, a three story 72-unit building was constructed across the street, suggesting that this area was viable for residential living. The building rented up well and was fully occupied. The third story apartment rented by Leo R. Jones is the subject of two appellate division opinions (App. 202, App. 207). The Supreme Court opinion states that in exigent circumstances, the police can kick down the door when pursuing a suspected criminal. This litigation is of interest since this is what occurred frequently at Park Court Apartments, where steel doors were repeatedly being kicked

in (each door cost $400 to replace). This occurred in the case involving Susan Stedtler (App. 94), who resided in Apartment 397-D directly across from 391-B. Police Officer Michael Mordaga entered the apartment repeatedly to obtain a narcotics conviction of Stedtler which resulted in her being sent to Edna Mahan prison in Clinton, N. J. for five years.

The head of the public defender's office, Ellen Koblitz, represented Susan Stedtler, a single mother on S.S.I. Koblitz was made presiding judge of Special Civil (which heard landlord-tenant disputes in Bergen County). The water case was proceeding to oral argument after the presiding judge of Special Civil Part of the Superior Court, Ralph A. Polito, had denied John Wallace's motion to dismiss in January, 1993. Ellen Koblitz was transferred from being head of the pubic defenders office to presiding judge of special civil. Petitioner appeared before her on several matters in April 16, 1993, the water case, the Acquanetta Fields matter, etc. Koblitz dismissed the complaint on that date filed by Moretti and the judgment on behalf of the water company has been the subject of litigation since that time. Moretti complained that the rule against conflict of interest due to successive representation by Koblitz was the source of the error.

The water dispute also went on at the municipal level, (App. 79, App. 81). The water utility shut off water in 1992. On August 17, 1992, the city council voted in favor of Resolution 260 (App. 79) which placed liens on 391-5 Park Street, Hackensack. This and subsequent water bills resulted in the termination of water services in April, 1997, and the permanent condemnation of the buildings. Richard Carucci of the Hackensack Fire Deparment caused notices to be posted shutting down the buildings permanently as of April 1, 1997. Subsequent to the water shut off, the electric was shut off as well, and after the buildings were looted and all locked steel doors were broken into and locks removed and numerous windows broken the buildings were boarded up six months later.

Moretti filed in the Superior Court law division in April,

1997. Judge Lawrence Smith heard the water dispute matter. He witnessed the attempt by Moretti to pay the water company the disputed judgment amount in court. This disputed amount was filed by John Wallace to incorporate Judge Koblitz' judgment. When Moretti offered the money, Wallace rejected the offer (claiming there was an additional amount not yet reaching final adjudication); the court refused to accept payment into the court. When Moretti returned that day to the buildings he discovered that the tenants had already been physically removed from the buildings. Subsequent hearings before judge Lawrence Smith was unavailing.

Subsequently, Julie Ferenczi, formerly a Hungarian barber, inspected the building site and filed complaints claiming the now vacant buildings were not being maintained. The cases were heard in various courts, including that presided over by Judge Anthony Cippolone. Cippolone heard the case and fined Moretti despite Cippolone's undisclosed status as the lawyer for the Hackensack planning board. Moretti claimed conflict of interest, and the matter was transferred again to yet another municipal court. Judge Roy F. McGeady (also the judge listed in Rochelle Park, Saddle River, and in Montvale. He, in seriatim, heard a related vehicle stop case in all three courts, fining Moretti), sitting as Bergen County Vicinage Two judge, heard the case filed by Ferenczi and sentenced Moretti to jail starting January 2, 2001, due to Moretti's inability to pay a two thousand dollar fine he had imposed.

Reasons for Granting the Writ

<u>This Case is Representative of the Five Thousand Properties Condemned and Sold at Sheriff's Sales in Bergen County since 1987 by Sheriffs Terhune, Alpert, and Ciccone; It Raises Important Issues on the Constitutional Protections Afforded Citizens to Own Property, Elect Representatives, and Defend against Allegations of Criminality in the face of Election Irregularities and Political Corruption</u>.

Because Judge Stark in the Bergen County trial court dismissed the inverse condemnation case petitioner filed on a motion for summary judgment filed by the city, there is no transcript and, of course, no jury trial. However, coverage of Moretti's dispute in the newspapers reveals a great deal and relates back to January 3, 1979 when the Record (the newspaper located four blocks from the building site in Hackensack), carried a story about Mayor Frank Zisa and Moretti.[1]

1

The Record, January 3, 1979.
Tape recorder and newsletter infuriate mayor, By Douglas Glucroft.
Hackensack - Salvatore Moretti came to last night's city council meeting equipped as he usually is - with questions for the council and a cassette recorder to tape the answers.

But last night Mayor Frank Zisa had a question for Moretti. He asked him if he was responsible for the content of the Park Street Block Association Newsletter. Moretti, who is head of the association, would not answer.

The Dec. 18 edition of the newsletter said Mayor Zisa bought some property on First Street for $95,000. Zisa denied it and threatened to sue Moretti.

Moretti, who also heads a group of apartment owners, was undaunted by the mayor, and got up to ask his usual questions when the public hearing began.

But Zisa told him he would have to sit down if he didn't turn off his recorder.
Unveiled threat

"If you don't do what I tell you, **I'll have you thrown out of this room," said Zisa, as police officer Lawrence Kenny approached Moretti.**

Moretti continued to speak. Kenny got him his coat and was about to lead him out of the room. But Moretti continued to speak.

"I happen to be running this meeting. And I happen to say

The irritation of the Mayor proved to be long standing and noteworthy. This is because Frank Zisa' three sons occupied offices in the city government in 1987 when a new judge, Louis Dinice, replaced retiring Judge Jospeh Zisa. Dinice instituted numerous actions concerning petitioner's property. Dinice eventually was granted an award for attorney's fees and recused himself from subsequent trials, resulting in petitioner having to go to ten or more different towns to have his cases heard. None of these towns could exercise control over the relevant officials in the Hackensack police, fire, and health departments, resulting in failure to achieve any judicial relief.

Zisa's three sons have received newspaper coverage because of their $100,000 per year salaries, the charge of nepotism in Hackensack, and the taxpayer disputes causing so many forfeitures in the county. Charles "Ken" Zisa announced he will run for Bergen County Sheriff in order to give the forfeited wealth to the local police departments to handle major organized crime matters. [2]

I don't want that thing on!" Zisa yelled. "I'm running this meeting and you're not."

City Attorney Menelaos Toskos upheld the mayor, though admitting to Moretti there was "no statutory basis" for banning tape recorders.

Moretti finally yielded and sat down. Afterward, he had no comment on the published statement about Zisa. The newsletter also listed property supposedly purchased by other city officials and zoning variances won by city officials.

[2]The Record, June 1, 2000.
Criticism of Zisa's promotion dismissed. Manager: Mayor's brother earned job. By Paul Rogers, Staff Writer
Hackensack - City Manager James Lacava said Wednesday that the decision to promote Frank Zisa Jr. - brother of the mayor and the police chief - to deputy chief of police was his

Judge Stark's order dismissing the condemnation cases specifically notes that she relies upon the New Jersey Tax Court order upholding Hackensack's real estate tax assessment. In fact, the court never considered the assessment. The complaint filed by Moretti was dismissed without hearing because the court refused to hear the case.

The transcript of proceedings before N. J. Tax Court Docket No. 9475-95, Tax Court, Bergen County, New Jersey. June 10, 1996, before Hon. Peter D. Pizzuto, J.S.C., Tax Court, 125 State

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alone.

Lacava, who could not be reached Tuesday, when news of the appointment spread, said he decided that Zisa was the more qualified of the two captains who applied for the nearly $100,000-a-year job. At no time, he said, did Mayor John "Jack" Zisa or Police Chief Charles "Ken" Zisa try to influence the decision.

Lacava dismissed suggestions of nepotism from critics of the promotion. He said the Zisas - whose patriarch, Frank Zisa Sr., was mayor or deputy mayor of Hackensack for 16 years - just happen to be active in civic affairs...

"I don't think they represent the people," Joe Lascala of the **Hackensack Taxpayer Association** said Wednesday. "Whatever they do, it's strictly family and for their own benefit."...

In 1997, he said, Zisa earned the second-highest mark on a similar exam given to captains, two places higher than Roman.

Another factor, Lacava said was that Zisa, who heads the Police Department's Detective bureau, has more experience than Roman in handling major crimes. Roman is chief of the youth division.

As deputy chief, Zisa will receive a modest pay raise from $97,572 a year to $97,890, said Lacava. Although his base salary will rise, he will lose certain special pay for which deputy chiefs are ineligible....

St., Hackensack, N. J. show that Salvatore Moretti, appeared pro se, Donald J. Lenner, Esq., appeared as the attorney for the defendant, City of Hackensack. At page 2 et seq, the transcript reads:

> The Court (Judge Pizzuto): This property or one or more of them were here for an earlier year. And if I recall correctly there was a motion to dismiss (which) was granted, an appeal that was taken from a motion to dismiss that was granted for an earlier year...[p. 3] Why is it necessary to go all the way back to 1991? We have an appeal here for 1995...
>
> Mr. Moretti: Well, very simple. I'll state that the reason I mentioned it was because of the description of the property and the specific contentions of the parties as of that date which in many respects has not changed. At that time the assessment at $792,300 was modified to $766,000 and subsequently modified to $733,000 (below the jurisdictional limit for filing directly with the Tax Court instead of the county tax board) for [Block 418] lots 22 and 23. So the issue of falling from $792,300 to $766,000 to $733,000 was important because when the Federal Court Judge Ackerman handed down his opinion, it was predicated upon the City's position taken in the Federal District Court in Newark. [p. 4] When the assessment was $766,000,that jurisdiction lay in the Tax Court and those motions to dismiss under [Federal] Rule 12(b) were made at $766,000 and, in fact, when I drafted the papers, that was the assessment and we are, again, here having gone through the procedural system of filing of appeals as your Honor indicated under circumstances where the 3 parcels total in excess of $940,000. To surmount some of the procedural issues and to get to the point, as I stated since we have already covered the description of the parcels which includes the improved lots at Block 418, lots 22 and 23 and the

> vacant lot at lot 24 and the single family house at Block 415, Lot 8(b), I would hope to expedite matters so that we adopt the prior filings which I have delivered this year as enclosing discoverable materials which the City legitimately could request of a petitioner...over 950 pages of appended material has been submitted to the Tax Court...
> p. 11.
> Mr. Moretti: My contention is the value would be $300,000 improvements, land $50,000,

When Moretti recounted his qualifications to testify, Donald Lenner, campaign treasurer for the Zisas, was unable to dispute competency, and frequently withdrew his questions. The transcript follows at p. 33 et seq.:

> Mr. Moretti: I have experience also in construction, building operations, such as the mechanicals. As to code evaluation, I have been involved in testifying in zoning disputes on matters of factories, funeral parlors, churches, vacant land, residential land, single family houses, apartment houses, hospitals, transportation, construction practices involving fire, safety, health, parking. I have actively involved myself in the mechanicals as far as snow removal, municipal [p. 34] equipment, trucking. As to plumbing, I have over a period of 40 years supervised plumbing, done all plumbing required on an emergency basis over a period of three decades. And as to drywall construction, I have done drywall installation in at least fifty different construction jobs. I've done painting in at least fifty different construction jobs requiring at least 4000 hours of work, both interior and exterior on single family buildings, multi-family buildings, automotive, boating. Manufacturing, industrial, and retail formats... [p. 36]I have published various newsletters

which have been circulated in the northeast on housing, inflation, rent control, law reform, legal decisions, decisions by Boards of Adjustment, and rent stabilization boards throughout all communities in the state of New Jersey...I have attended universities in Washington, D.C., New York City, and New Jersey.

P. 49.

Mr. Lenner: From what colleges did you receive bachelor's degrees?

Mr. Moretti: I received a bachelor's degree from George Washington University.

Mr. Lenner: And in what field?

Mr. Moretti: That was psychology.

P. 51

Mr. Lenner: Mr. Moretti, what post-graduate courses have you taken and where were they taken?

Mr. Moretti: In New York I took courses in law.

Mr. Lenner: Where?

Mr. Moretti: New York Law School.

P. 72.

The Court: Then I shall decide at this point whether or not Mr. Moretti is qualified to be an expert witness in this case. And my conclusion is that **I should not deem Mr. Moretti to have established the requisite expertise by way of experience and qualifications** to be able to submit to the Court a credible, cogent, reasoned and persuasive opinion as to the value of property. My reasons are that although Mr. Moretti has some experience in real estate, although he has legal education and although he has managed property he has not demonstrated and although he has some familiarity with appraisal concepts and terminology he has not demonstrated that he has functioned as a real estate appraiser other than with respect to the submission of tax appeals with respect to his own properties. Moreover, **his demeanor**

during the course of the entire proceeding his morning, but in particular during the course of the voir dire...

P. 74. Certification by Karen Antero that the foregoing transcript is accurate.

Judge Stark decision from which appeal is made also recounts that "[p]laintiff asserts excessive water bills but had been previously ordered by Court to pay United Water. Plaintiff asserts that City evacuation of building which had no water supply is inverse condemnation. [p. App. 3]." In fact consider that when plaintiff appeared before the Office of Administrative law, the following order was entered on November 20, 1996:

State of New Jersey, Office of Administrative Law, Initial Decision, OAL DKT No.: PUC 07022-95. Agency No.: WC95050223U. Salvatore Moretti, Petitioner v. Hackensack Water Company, (Now known as UWR-New Jersey, Inc.), Respondent. Record Closed October 30, 1996. Decided: November 20, 1996. Before: Jeffrey A. Gerson, ALJ:

Salvatore Moretti, according to his complaint, is the owner of 391-395 Park Street, Hackensack, New Jersey. The Park Street apartment is commonly known as the "Park Court Apartments" containing 21 (sic) bedroom apartments.

The dispute in this matter involved the amount billed for water usage between October 1992 and October 1996. Hackensack Water Company (Hackensack) contends that Moretti owes $11,183.59, while Moretti contends that he surely owes less than that and as far as he is concerned he owes nothing.

Testimony

The first and only witness to testify on behalf of Hackensack was Al Defierro (sic.), a customer service supervisor assigned to collections.

He offered into evidence the bills for 391-5 Park Street covering the period from October 14, 1992 to April 26, 1996. The total due for that time period, deducting payments made by Mr. Moretti, was $6,574.19. Adding the amounts due for the last six months following April 1996, the total came to $11,183.59. Specifically, added to the $6,574.19 was a bill for $2,306.45 for the first three months after the $6,574.19 total and $2,302.95 for the final three months taking the bill to its current October 1996 balance of $11,183.59...

In short, between October 1992 and April 1996 a total of $29,556.30 was billed for water usage. Over that time period, $22,982.11 was paid. This left a balance of $6,574.19 plus the last six moths usage of $4,609.40 which leaves a balance of $11,183.59.

From the proofs presented by Hackensack, **there was only one debatable bill,** and that was the bill of October 1995 for $2071.51. That bill was debatable only because the actual bill could not be located. Despite the absence of that one bill the following bill did carry over that balance which convinces me that it was accurate.

The only other witness to testify was Mr. Moretti himself. **Mr. Moretti's testimony can at best be described as disjointed. His answers to even the simplest of questions were evasive** and appeared to me to be intentionally non-responsive. In essence, he contended that his tenants could not have possibly used as much water as was indicated by the meters but offered absolutely no explanation for how he reached this conclusion. **He made some obtuse references to law suits** that he has started against several tenants to enforce a clause in their leases requiring payment for the water usage, but was unable to articulate any reason why such law suits would decrease the amount owed to Hackensack

> Water Company. He insisted on establishing that the area where this multi-family is located is apparently deteriorating, but once again gave no indication of how that deterioration would lead to the conclusion that the water bill presented by Hackensack was not due and owing. From the testimony offered by Mr. Moretti, I can only conclude that his one and only purpose in contesting the outstanding water bill was to do his best to annoy and inconvenience the people at the Hackensack Water Company....
>
> Date: Nov. 20, 1996 (s) Jeffrey A. Gerson, ALJ

Since Moretti offered to pay United Water Koblitz'docketed judgment in full in April, 1997 when appearing before Judge Lawrence Smith, payment is not in issue. In fact, the utility refused payment because of another disputed bill which had not been finally adjudicated. Closure of the buildings was therefore premature. Also, the refusal by the court to accept payment was improper. Hence, judge Stark's reliance on this factor is also incorrect.

If we analyze judge Koblitz' judgment in this case, we can see the origin of the problem dating back to her legal representation of Moretti's tenant, Susan Stedtler. Consider also her decision with respect to Bernard Fayehun, Aquanetta Fields, and other tenants. Judge Koblitz, as head of Bergen County Public Defenders, was in criminal law and dealt with these tenants as criminal files. Moretti and Fayehun were attacked by one Osuji, preventing Fayehun from earning a living fixing cars. Koblitz ordered Moretti to rent his home to Fayehun, despite Fayehun's rent being several months in default. Koblitz as a judge in Special Civil did not have jurisdiction to grant Fayehun occupancy rights in a single family home, because the statutory law excepted single family homes. Koblitz as a criminal defense lawyer, had no knowledge of the summary dispossess statute since she had been transferred into special civil part of Superior

Court eleven months before. Judge Austin, who was made presiding judge of special civil after Koblitz was transferred to family court, ordered Beverly Freeman to vacate390 Park Street and stop gluing Moretti's doors shut; although he was not acting under the dispossess statute, the criminal component of Freeman's actions required that he act as he did. Koblitz reversed Judge Ralph Polito's decision rendered in January, 1993; this process of removing superior court judges so that a decision could be ordered which was in accord with the State was repeated in Judge Stark's case as well. Consider the way in which John Wallace conaiders the reversal of Judge Polito's previous order:

> Transcript of Motion April 16, 1993. Moretti v. Hackensack Water Co., DC-705907. Before : Hon. Ellen Koblitz, J.S.C.
> P. 3
> Mr. Wallace: Argument on this motion did go on for maybe close to an hour before Judge Polito. This motion was back in February 16 [1993]. So I was surprised it was transferred to you...
> P. 9
> Judge Koblitz: I'm going to hear this summary judgment motion this afternoon. To the extent that anybody wishes to repeat what was said before Judge Polito, please do so.
> P. 56.
> Judge Koblitz: Now Mr. Moretti indicated that he was not satisfied going before the administrative body. And that if he is dissatisfied when he gets into that forum (administrative law), there is relief. He can go to the appellate division. With regard to the bulk of his other arguments which really deal with what he believes to be the improper motivations and behavior of the Hackensack Water Company. Those are issues which really should have been brought up previously.

P. 57.

Judge Koblitz: I am going to grant the summary judgment motion for the reasons which I have indicated.

Judge Koblitz suggests above that Moretti was remiss in not having appealed to the Appellate Division of the Superior Court. It is possible Judge Koblitz was not serious in making this suggestion since she knew that Moretti had already litigated this matter thoroughly in the federal district court. The decision was rendered by Judge Harold A. Ackerman in the United States District Court, District of New Jersey, Salvatore Moretti vs. Mayor John Zisa and the Hackensack City Council; George Diana and the Hackensack Board of Adjustment; Patricia Farlie and the Hackensack Health Department; Richard Carucci and the Hackensack Fire Department; C. Morrissey and the Hackensack Police Department; Henry Amoroso - Hackensack Prosecutor; Hackensack Water Company; G. Thomas Gentile; and Gutterman-Musicant, Inc. Defendants, Civil Action No. 92-4206 (Harold A. Ackerman.). Excerpts from the extensive written opinion follows:

P. 9. Of Judge Ackerman's written opinion.

"Here, the Complaint alleges that the conduct of various local government entities and officials violate Mr. Moretti's constitutional rights and explicitly invokes 42 U.S.C. § § 1981, 1982, and 1983...Federal Rule Civil Procedure 12(b)(6) permits the dismissal of a complaint, or a count therein, for the failure to state a claim upon which relief can be granted."

P. 13 of written opinion.

C. Hackensack City Council

"Moretti attempts to allege several claims against the City Council, all of which warrant dismissal...Moretti also alleges that the Council conspired to fix the assessed value of his property in excess of its actual value, thereby depriving him of his ownership rights. This court is barred from

hearing this claim, however, for lack of subject matter jurisdiction [fn. 2. Although the factual allegations set fort in this count refer to unidentified 'defendants,' the demand for relief contained in this count names only the City Council. In either case, however, the claim must be dismissed because this court lacks subject matter jurisdiction.] The Tax Injunction Act provides that : [t]he district courts shall not enjoin, suspend or restrain the assessment, levy or collection of any tax where a plain, speedy and efficient remedy may be had in the court of such State. 28 U.S.C. § 1341. The principal purpose of the Act is to limit federal court interference with local tax matters. (Cites omitted)..."

P. 21 of written opinion.

E. Hackensack Health Department

"Moretti's claim against the Health Department arises form the fact that it issued a complaint against Moretti for failure to supply water to his tenants..."

P. 23 of written opinion.

F. Hackensack Fire Department

"Moretti's claim against the Fire Department arises from the alleged frequency of smoke and fire alarms. Moretti also alleges that members of the Fire Department broke doors in his apartment complex.

These claims must also fail. As with the Health Department, there is not allegation that the Fire Department caused any harm to Moretti either through official policy or custom.

P. 24 of written opinion.

H. Hackensack Police Department

"Moretti alleges that members of the Police Department broke doors in his apartment complex. As with Health and Fire Departments, there is no allegation that the Police Department caused any harm to Moretti either through official police or custom. Thus, the clams against the Police

Department must be dismissed.

"Moreover, as with the Health and Fire Departments, the allegation that the Police Department broke doors in Moretti's complex, in and of itself, does not rise to the level of a constitutional violation..."

P. 25 of written opinion.

J. Henry Amoroso, Hackensack Prosecutor.

"Amoroso is alleged by Moretti to be 'prosecuting a water shut-off case in which the Municipal Court is supplanting ownership of the property.' Moretti also alleges threats to confiscate rent checks and foreclosure and further alleges that [p. 26] such conduct is malicious in nature.

"Defendants argue that plaintiff's claims against Amoroso are barred by N.J.S.A. 59:3-8, which provides a judicial immunity defense..."

P. 27 of written opinion.

"Count III arises from Moretti's dissatisfaction with the Board of Adjustment's granting of a zoning variance to defendant Gentile. It is clear that mere disagreement with the Board's decision to grant Mr. Gentile application for a zoning variance does not rise to the level of a constitutional violation...

P. 29 of written opinion.

"Moretti alleges that the Water Company terminated water service on two occasions and that its water bills are inflated. The water company argues that these claims must be dismissed because its actions were not those of a state actor as required under Section 1983. I agree....

"Moreover, even assuming that the Water Company was a state actor for purposes of Section 1983 and that Moretti had a protected property interest in continued water service, he has alleged no facts supporting a due process violation. In other words, he had not alleged any facts indicating that

his water services were terminated without due process. See Paratt v. Taylor, 451 U.S. 527, 536-37 (1981) (Due Process Clause does not protect against all deprivations of property, only those deprivations "'without due process of law'") (citation omitted). Therefore, his complaint fails to state a claim against the Water Company for this reason as well.
P. 33 of written opinion

Conclusion: "For the foregoing reasons, Mr. Moretti's complaint is dismissed."

The net result was that Moretti's estate was being eroded. Judges who tried to act justly in Moretti's actions were routinely transferred out, such as Judge Polito. Orders to do so appeared to originate from the Attorney General's Office in Trenton. Letters written to Governor Whitman were of no avail. Governor Whitman appointed four attorneys-general to the N. J. Supreme Court. Consider the reported wages received by Moretti from the United States Social Security Administration. A recent notification to Moretti of eligibility for benefits after forty years of management at Park Court Apartments in Hackensack reads as follows:

1973	- 0	1981	- 1,200	1989	- 0
1974	- 0	1982	- 0	1990	- 6,122
1975	- 0	1983	- 0	1991	- 0
1976	- 0	1984	- 0	1992	- 0
1977	- 2,000	1985	- 0	1993	- 0
1978	- 5,486	1986	- 0	1994	- 0
1979	- 3,603	1987	- 0	1995	- 0
1980	- 4,808	1988	- 0	1996	- 0
				1997	- 0

As noted above, the apartment house was closed down by order of Hackensack fire official Richard Carucci. In view of Moretti's inability to operate the apartment house due to the pre-taking activities of the condemning authority, consider the manner in which the Record treats the closure in their

newspaper article at that time.

The Record, April 4, 1997. Page L-2 (Local News)
Apartments condemned over unpaid water bills
By Don Stancavish, Staff Writer
Hackensack.

"**City officials have condemned an apartment building** and evicted all its tenants after the building's owner would not pay $20,000 in overdue water bills.

"Dozens of occupants of 391-397 Park Ave. were ordered to leave their garden apartments Wednesday after landlord Salvatore Moretti refused to pay the money he owed to United Water Resources Inc.

"'The property owner at that address has had an ongoing dispute with the water company,' said city health officer John Christ. 'As a result, his water was turned off.'

"Asked to comment on Thursday, **Moretti would not** discuss the condemnation or **explain why he hadn't paid the water bill.**

"City officials did not immediately know how many residents were evicted, but tenants and neighbors said that at least 20 families rented apartments from Moretti.

"Buildings without a running supply of water are considered uninhabitable, Christ said.

"United Water officials say **Moretti has been a deadbeat customer since 1992.** 'He has basically taken every avenue to not pay his bills,' said Rich Henning, a United Water spokesman.

"On Monday, Moretti was found guilty in Hackensack Municipal Court of two charges of not providing water for a building, a violation of the city's Health Department code.

"He was fined $600 and ordered to pay $60 in court costs. He appeared at the court without an attorney, court officials said...

"Later that day, officials from the city Health Department went through the apartments, notifying tenants that the building was being condemned.

"Christ said the city had offered relocation assistance to the former tenants. Many of them are staying at the Capri Inn in Little Ferry, compliments of the city.

"'This is not something that came out of the blue,' said Christ. 'The owner of the building has had plenty of notices, summonses, and warnings from the water company.'

Any observant newspaper would have disclosed that Moretti had been held up in the Citibank August 1994 and robbed of the rental receipts, thereby preventing payment of the disputed amount. Any observant newspaper also would have revealed that Moretti had attempted to pay the disputed amount into court when appearing before Judge Lawrence Smith prior to closure on April 2, 1997. Any observant newspaper would have revealed that the selection of Julie Ferenczi, the former Hungarian barber, as a Hackensack building inspector who appeared on site from 1989 to 1997 enforcing code violations led to tenant vandalism. Any respected newspaper would have revealed that after shut down all building air conditioners were stolen within three weeks and all steel doors were broken into, resulting in over $100,000 of damage prior to the buildings being boarded up But the Record did none of this. Why?

Petitioner argues that this is because the acts complained of were part of the custom of the community. Petitioner maintains that these violations are not excepted from judicial review even when they are part of the customary acts of the community, particularly when the general welfare is imperiled by five thousand other condemnations in the county, and by

the conflicts of interest clearly revealed in this petition and in the appendix attached hereto. Consider the wording of the Record article descriptive of the Charles "Ken" Zisa's running for political office. Dismissals of court cases are not unusual when judges are selected to hear matters by the assignment judge who is influenced by factors within the state political system. The May 31, 2000 Record article Youngest of 3 Zisa brothers promoted, by Paul Rogers, reads as follows: "Hackensack appointed Frank Zisa Jr. as its **deputy police chief** late last week, adding another chapter to the family's historic dominance of the city's public affairs. Zisa, a 17-year Police Department veteran and one of either captains on the force, is the **brother of the police chief and the mayor. The father of the three brothers, Frank Zisa Sr., now retired** from government, was mayor or deputy mayor of Hackensack from 1969 to 1985. The promotion of the youngest Zisa brother, which went into effect Saturday and is subject to final civil service approval, comes five years after **controversy surrounded the city's appointment of Charles "Ken" Zisa as police chief. John "Jack" Zisa was mayor at the time - and still is.** Critics of the latest promotion of a Zisa family member raised some of the same concerns about **nepotism** on Tuesday . . . ' It's like they're trying to control everything in the town,' [John] Smith [who was on the city council in 1980] added. . . One critic was Hosanna Azar, head of the Hackensack Taxpayers Association. '**Nepotism runs rampant in Hackensack,**' she said. 'I have no doubt it's **favoritism.**' . . . In May 1995, after Ken Zisa was named acting chief, a competitor for the position, Capt. Anthony "Chic" Leggieri, filed a lawsuit asserting that the promotion was based on nepotism instead of experience and merit. Seven months later, **a judge dismissed the case,** and the city named Zisa its permanent chief."

The dismissal of the 1995 case did not take into account the fact that the Zisa ticket ran unopposed for city council in 1997, despite Hackensack being a political town where contrary

views abound? The economic conflicts are clear. Charles "Ken" Zisa announced in January, 2001, he wants to be the Sheriff of Bergen County. As sheriff he would have at his disposal security in the court house, security in the newly expanded jail, and would operate the forfeiture unit of the sheriff's department as well as serve all summons and complaints in the county. Everyone in the county knows this, but frequently judges are assigned to cases who have never been in the county, and have not voted in the county.

Consider that when Charles "Ken" Zisa ran for Chief of Police the following article appeared in the Record, Nov. 3, 1995. Weinberg in the 37th. The Other Endorsement Withheld Reluctantly. Editorial.

> "Loretta Weinberg is a hard-working, productive member of the Legislative who deserves reelection....
>
> Her running mate, Assemblyman Charles "Ken" Zisa, 41, is also well-qualified. His experience in police work in Hackensack gives him a valuable perspective on **criminal justice issues.** The Record would like to endorse Mr. Zisa. Regrettably, we cannot. We are not withholding our endorsement because Mr. Zisa holds two public offices, assemblyman and Hackensack chief of police. Most members of the Legislature hold full-time jobs.
>
> The problem is a **Hackensack city ordinance,** which **states that, Members of the Department of Police are positively prohibited from active participation in politics...."**
>
> Whatever the merits of the ordinance – Mr. Zisa and the city attorney say it is outdated, unenforceable, and probably unconstitutional – it is on the books. How can a chief of police choose to obey some parts of the municipal code and not others? How does he justify that selective obedience to other police officers and to the city's residents?...

Consider that Moretti has been victimized by Frank Zisa Jr., who supplied Bureau of Criminal Identification reports to Charles "Ken" Zisa while John "Jack" Zisa supported his brother as Police Chief and thereafter Assemblyman. Cosmetic maintenance issues at 391-395 Park Street were characterized by Ferenczi as code violations, resulting in tenants, fearful of beatings, having to trash their apartments to earn money to feed themselves. Ferenczi discovered the fraud but could not testify since her testimony was cut off by Judge Roy McGeady.

When Moretti visited his mother at the Hackensack University Medical Center, he discovered that the hospital was under guard by a Hackensack security force. His visiting privileges were cut short, and his mother under guard and wearing a prisoner-style security bracelet was dosed with morphine resulting in her death. She was transported to Maple Glen at Fair Lawn nursing home where the security bracelets set off and locked doors otherwise open to guests who thought that walking out was possible. Judge Anthony Sciuto, viewing the matter narrowly on these facts, believed the hospital was protected by the necessity of having an affidavit of merit sworn out by an expert, and dismissed the case. Appellate review remanded the matter to the trial court, but the hospital has filed a motion to dismiss once again.

Why did this occur? Consider the following articles which must have come to the attention of Frank Zisa Jr. and Charles "Ken" Zisa. **The Record**, Old Time at Duke's, June 2, 1985. Editorial Opinion, Marking Time, by Mark Stuart. [Posted at Record Computer Terminal Access. Terms: Restaurant. History. Mob. Gambling. Order Number 901254]

> Frank Borsky is an old buddy of mine. He was one of that peerless pack of reporters on the long-gone NewYork Journal- American in the days of city editor James "Red" Horan and managing editor Paul Schoenstein....

The other subject that fascinates Borsky is politics. That, of course, is natural for a guy who was born and brought up in Jersey City, where every kid ingests politics with his Pablum and cod-liver oil. Borsky can regale you for hours with tales of the days when Frank "I Am the Boss Hague, resplendent in Chesterfield coat, long pointed collars, and spats, ran Hudson County with an iron fist hidden in a doeskin glove.

I ran into Borsky recently in Cliffside Park at a combination health club and restaurant at the base of the huge condominium complex known as Winston Towers.....

"That's where **Palisades Amusement Park** used to be, right?" he asked me. That's right, I answered. We fell to reminiscing about that great old place. We talked of the thrilling rides, the giant swimming pool with its artificial waves, the gypsy fortune tellers and phony handwriting experts, the trolley cars that used to run up the Palisades from the 125th Street ferry....

"You don't remember Duke's, right across from the park entrance?" I prodded.

Frank thought for a moment. He couldn't recall what it looked like, but he sure remembered the stories about the place he used to hear down in Hudson County.

"Duke's was a Bergen County hangout," said Frank. "I remember it was famous for its patrons – hoods, gunsels, racketeers, and bootleggers."

It sure was. These people came to Duke's for good reason. Duke's was a nondescript place – on the outside. The back room was its real reason for being. **This was where Willie and Solly (as he was called) Moretti had their "office."** It was furnished lavishly in what was popularly called **Italian Provincial,** although you'd be hard put to find any region in Italy where such furniture was on display.

The door to that back room was made of a double thickness of steel. The windows looking out at the street were heavily barred. The walls, nine inches of stone reinforced with concrete, could have served as a bomb shelter – and sometimes did...

In this room a plan was hatched in the Thirties to bring the big gambling games to New jersey from New York, where reform-minded district attorneys like Thomas E. Dewey were creating problems for the likes of Charles "Lucky" Luciano, Frank Costello, Meyer Lansky, and Jos Adonis. The architect of this agreement was Abner "Longy" Zwillman, the kingpin of New Jersey bootlegging and a political power in Newark.

Zwillman's scheme was simple. The combination would buy a string of roadhouses using dummy real-estate firms. The string stretched along the rim of the Palisades through Bergen and Hudson counties, then back toward Passaic and Morris. Some were large, ornate buildings like the Carriage Club in Florham Park, later to become the Florham Park Country Club. These were frequented by business executives and government leaders, often in top hat and tails....

Now consider that the real estate purchased at 391-395 Park Street, Hackensack was made from moneys issuing from the sale of the Demarest property owned by Salvatore Moretti, Sr. in 1952. That property is is described as follows by **The Record**, June 9, 1952. Hemorrhage Fatal to Solly Moretti. Bergen Racketeer Stricken During Prison Term.

Trenton, June 9 (AP) - Salvatore (Solly) Moretti, 49-year-old gambler and racketeer of the New York-New Jersey underworld, died yesterday at the state Prison Hospital as a result of a cerebral hemorrhage. He Was Closemouthed

He was stricken May 5 - the day he was to have come up for a parole hearing. Moretti, whose brother Willie was shot to death, gangland style, in a restaurant last year, was serving a 2-to-3-year sentence for operating a million dollar dice game in Bergen County.

Along with Moretti, Joe Adonis and several of his lieutenants, were convicted and are now in the same prison.

Not at all like his brother, who was brash and talkative and referred to as the clown prince of crime, Solly Moretti was closemouthed about his activities....

Woven though the record of his life are such names as Irving (Waxey-Gordon) Wexler - dope pusher and prohibition-era beer baron now serving a life term as a fourth offender; Albert Anastasia, reputed gunman for the old Murder, Inc., and Adonis.

Moretti told the Senate Crime Committee he made $84,000 in 1940, a year when he had no visible means of support.

His home, a $60,000 showplace in Demarest, was surrounded with floodlights, a high wire fence, and vicious watch dogs.

In 1950, New York charged his with conspiracy to violate gambling laws both of that State and New Jersey. Solly was hit at the same time with a gambling indictment, from New Jersey Deputy Attorney-General Nelson Stamler, head of a probe of rackets and corruption in Bergen County.

The Senate Crime Committee cited Moretti in January 1951 for contempt for refusing to answer questions.

Although New York had prior rights on Solly and other members of the Bergen County dice operation, they let New Jersey have first crack at him because the laws here carried a stiffer penalty.

> Moretti and Adonis were described by New York District Attorney Vincent A. G. O'Connor as two of the nation's most notorious and flagrant law breakers...

What has occurred is that the Zisas are trying to work a forfeiture of Moretti's real estate because they are on the trail of "dirty money." Their $100,000 annual salaries testify to the costs of fabricating their cases. They are ambitious and seek jobs as sheriff and Bergen county freeholder. Is there any wonder judges are unable to rule in petitioner's favor? Is it any wonder Hollis was suspended from the practice of law? Is it any wonder tenants who were beaten up were unable to pay their rent?

When petitioner appealed to the N. J. Supreme Court, Deborah Poritz was the presiding judge of the court. Consider her testimony [App. 237] before the New Jersey Senate Law and Public Safety Committee. "Review State law governing forfeiture of property associated with criminal activity, including the system for distribution of assets seized and accountability for their expenditure."Location Committee Room 4, State House Annex, Trenton, New Jersey. Date: March 14, 1996 10:00 a.m.

> Senator Louis F. Kosco (Chairman): At this point, we'll ask our Attorney General to come forward, because I know you have a schedule to meet...
> Attorney General Poritz: Thank you. I appreciate the opportunity to come before this Committee today. The appropriate use of the civil forfeiture remedy is a subject that has generated a lot of discussion...Forfeiture has emerged as a powerful adjunct to our criminal laws and provides us with an important tool to deter criminals, one which does not rely entirely on prisons and other traditional sanctions imposed by the criminal justice system..
> Indeed, there are many criminal justice experts who believe that forfeiture has emerged as one of the

most powerful weapons against drug traffickers and other persons engaged in criminal activity for profit. It is, ironically, the success of our aggressive use of the forfeiture remedy which has prompted some to attack our efforts. The fact is that the forfeiture program in New Jersey has been highly successful. Millions of dollars earmarked for criminal purposes have instead been put to use for law enforcement purposes and to protect the public safety.

Conclusion

Based upon the foregoing, petitioner applies to the United States Supreme Court to grant certiorari on the bases set forth so that the case may advance to merit brief as required for the setting of just standards to be applied throughout the country.

Date: February 2, 2001

Respectfully Submitted By: (s) Salvatore Moretti,
Petitioner Pro Se

App. 1

Supreme Court of New Jersey

M-227 September Term 2000

49,242

Salvatore Moretti,

Plaintiff-Respondent

v.

United Water Resources, Inc. et al.,

Defendants-Movants

ORDER

Filed

Oct. 04, 2000

Stephen Townsend

Clerk

This matter having been duly presented to the Court, it is Ordered that the motion to dismiss the notice of appeal is granted.

Witness, the Honorable Deborah T. Poritz, Chief Justice, at Trenton, this 3rd day of October, 2000.

I hereby certify that the foregoing is a true copy of the original on file in my office.
(s) Stephen Townsend, Clerk of the Supreme Court of New Jersey

App. 2

NOT FOR PUBLICATION WITHOUT THE APPROVAL OF THE APPELLATE DIVISION

Superior Court of New Jersey
Appellate Division
A-1901-98T2

Salvatore Moretti,
Plaintiff-Appellant,
v.
United Water Resources, Inc., City of Hackensack, and State of New Jersey,
Defendants-Respondents.

Filing date
Appellate Division
Jan. 14, 2000
(s) Clerk of the Court

Submitted: January 5, 2000 - Decided Jan. 14, 2000
Before Judges Baime and Brochin
On Appeal from Superior Court of New Jersey, Law Division, Bergen County

Appellant submitted a pro se brief.

John J. Farmer, Jr. Attorney General, attorney for respondent State of New Jersey (Mary C. Jacobson, Assistant Attorney General, of counsel; Patrick DeAlmeida, Deputy Attorney General, on the brief).
John P. Wallace, attorney for respondent United Water Resources, Inc.
Richard E. Salkin, Esq., attorney for respondent City of Hackensack.

PER CURIAM

Plaintiff appeals from a dismissal of his complaint under R. 4:6-2(e). We find no merit in his arguments. R. 2:11-3(e)1)(E).

Plaintiff was the owner of a twenty-unit apartment building in Hackensack. United Water Resources, Inc. supplied the building with water. A dispute developed concerning the

amount of the water bills charged to plaintiff by United Water. Judgment was entered in favor of United Water. Plaintiff continued to refuse to pay his water bills. Water service was terminated in April 1997. Pursuant to N.I.S.A. 40:48:2.3, the City of Hackensack ordered the property vacated. Plaintiff then instituted this action against United Water, the City of Hackensack, and the State, claiming inverse condemnation. The Law Division dismissed the complaint for failure to state a claim upon which relief can be granted.

We are in complete accord with this disposition. Affirm. I hereby certify that the foregoing is a true copy of the original on file in my office. (s) Clerk of the Court

ORDER entered by the trial court, October 13, 1998.

Richard E. Salkin, 50 Main Street. Hackensack, N. J. 07601 (201) 342-3626, Attorney for Defendant, City of Hackensack
Superior Court of New Jersey. Law Div.: Bergen County
Salvatore Moretti, Plaintiff vs. United Water Resources, Inc., City of Hackensack, State of New Jersey, Defendants.
Docket No. BER-L-5678-97 ORDER

This matter having been opened to the Court on Motion of Richard E. Salkin, Esq., Attorney for the Defendant, City of Hackensack, for an Order dismissing Plaintiff's Complaint for failure to state a claim upon which relief may be granted and the Court having considered the matter and good cause appearing; It is on this 13th day of October, 1998;

Ordered that Plaintiff's Complaint be and hereby is dismissed [each entity was acting within its colorable duties vis a vis plaintiff, the commercial landlord of the subject multiple dwelling; plaintiff asserts over taxation but has been through Tax Court. Plaintiff asserts excessive water bills but had been previously ordered by Court to pay United Water. Plaintiff asserts that City evacuation of building which had no water supply is inverse condemnation. Plaintiff has never serve the complaint on the State of N. J. All of plaintiff's claims have been previously adjudicated and together or

separately (they) do not state cause of action cognizable in this court.

Further Ordered that a copy of this order be served upon all counsel, and on the Pro Se Plaintiff, within seven days of the date of this Order.

Signed Isabel Stark, J.S.C.

Opposed X. Unopposed___

Plaintiff's Letter-Brief filed with the Appellate Division Jan. 21, 1999, two weeks prior to eviction from 390 Park St., Hackensack, N. J.

Jan. 21, 1999 Letter Brief to Appellate Division by Moretti

SALVATORE MORETTI
390 PARK STREET
HACKENSACK, NEW JERSEY 07601
(201) 487-5179

January 21, 1999

Superior Court of New Jersey
Appellate Division Clerk's Office
Hughes Justice Complex
25 West Market Street, P. O. Box 006
Trenton, New Jersey 08625
att: T2 - Ernestine Brooks

re: SALVATORE MORETTI v. UNITED WATER RESOURCES, INC., CITY OF HACKENSACK, AND STATE OF NEW JERSEY, Docket No. A-001901-98T2

Dear Sirs:

Kindly accept this letter-brief on behalf of appellant in the above captioned matter. Appellant has reviewed the material covered by the appendix which was submitted in the trial

court and believes that the positions advanced there are clearly set forth, but that the trial court failed to address the merits of the case. As a result, on Friday, October 9, 1998, Judge Isabel Brawer Stark spent only eight minutes at the hearing on the motion to dismiss. She signed the order [App. 1] submitted by the City of Hackensack, said order dismissing the complaint [App 149] filed on June 17, 1997. As a result of the delays encountered in the trial courts, the properties under appellant's management and ownership have fallen into tax arrears and/or third parties have attempted to acquire the property through sheriff's sales. Sheriff's sales in Bergen County have proceeded at an accelerated rate, as shown by the tax sale list wherein Sheriff Jack Terhune and Sheriff Jay Alpert [App 21-27], and have forced transfer of title for nominal amounts of money; the transfers have included the appellant offices at 390 Park Street, Hackensack. The complaint sub judice is an inverse condemnation action to require the defendants to compensate the appellant for the taking of his property [App 149].

PROCEDURAL HISTORY

On June 17, 1997, plaintiff-appellant Moretti filed a complaint in the Superior Court of New Jersey, Law Division, Bergen County [App 149]. The complaint was docketed as BER-L-5678-97 [App 148]. Appellant attempted to serve the complaint by order to show cause on June 19, 1997, but the order he submitted to Judge Isabel Brawer Stark, J.S.C. was denied [App 3], with the comment that the plaintiff has U. S. Bankruptcy Court action pending. The defendants in that law suit were in attendance at the order to show cause, but refused to accept service requested in forma pauperis which had been allowed in the federal courts, stating that they had not been properly served. Judge Stark refused to take jurisdiction [App 111] despite numerous letter briefs sent to her [App 112]. Note the number of briefs sent by Moretti to the court as shown by the automated case management system [App 17]. On January 29, 1998 John Wallace claimed the water utility had not been properly served with summons and complaint [App 197]. On

January 26, 1998 Patrick DeAlmeida claimed the state had not been properly served with summons and complaint [App 198]. On November 21, 1997 the Clerk of the New Jersey Supreme Court refused to consider Moretti's writ of mandamus filed to require that Judge Stark expedite the trial of the within matter [App 18]. By working one thousand hours, appellant was finally able to pay all the fines and bills which were thrust upon him and have the complaint served by the sheriffs of Bergen and Mercer counties, on the City of Hackensack [App 6.2], on United Water Resources, Inc. [App 6.1], and on the State of New Jersey [App 6]. As soon as sheriff's service was effectuated on the three defendants, the City of Hackensack filed a motion to dismiss on September 23, 1998 [App 208]. The return date for the motion was October 9, 1998. After an eight minute motion hearing, Judge Isabel Stark dismissed the complaint, signing the order on October 13, 1998 [App 1]. Appellant filed his Notice of Appeal with the Appellate Division of the Superior Court on November 24, 1998 [App 7]. The Appellate Division docketed the appeal A-001901-98T on January 6, 1998 [App 9]. The state of New Jersey submitted its case information statement on December 29, 1998 [App 15]. Hackensack submitted its case information statement on January 7, 1999 [App 13]. The United Water Resources, Inc. submitted its case information statement on January 15, 1999 [App 16.1].

STATEMENT OF FACTS

On June 21, 1993, Federal District Court Judge Harold A. Ackerman dismissed the federal civil rights complaint, docketed as 92-4206 (HAA) [App. 167-169] [App 132-133] filed by plaintiff Salvatore Moretti in the Newark Federal District Court. The decision stated that the civil rights complaint failed to state a cause of action despite assertions of over-assessment of Moretti's twenty unit apartment house by the city, exorbitant water utility charges by the Hackensack water company, despite shut-off of water service, despite external dis-economies, and despite excessive penalties invoked by state and municipal inspectors. Additional complaints filed in

the Newark Federal District Court [93-528, 97-1742] were also dismissed, said complaints stating that the municipal services to appellant Moretti's residential properties were poor, and that federal causes of action existed requiring federal court intervention. Two homes burned down adjacent to appellant's apartment house in unusual fires, possibly arson related. Moretti's prior attorney, Robert A Hollis, Esq. Had been suspended from the practice of law by the N. J. Supreme Court [95 N.J. 253]. Resolution 260 [App 184] enacted by the Hackensack Municipal council August 17, 1992 dealt specifically with the impossibility of appellant's paying the excessive water charges. While the real estate appraiser called in by the city (Charles Mason) had provided for a water charge of $900 per annum in his allocation of costs, appellant was required to pay $2,060 per quarter [App. 184].

After 1992, all leases entered into by appellant with his residential tenants at 391-5 Park St., Hackensack contained Clause 28 [App 158] which set a maximum of 200 gallons of water per day which would be paid for by the management. Eight trials [App 159] to enforce this limitation on excessive water bills resulted in not one penny to defer the high water bills charged by United Water Resources, Inc.

On September 11, 1995, appellant was arrested [App 161] and jailed for three days on a harassment complaint filed by Beverly Freeman; Hackensack municipal judge Louis Dinice, (who maintains he is owed money by appellant due to the federal court complaints filed in Newark) set trial for September 18, 1995 before Judge Takvorian. Takvorian refused to consider the facts of the case in which Freeman had glued shut appellant's house door's preventing his entry; Freeman took over 390 Park Street, Hackensack while she was being indicted by the Bergen County Grand Jury. Takvorian also refused to consider that appellant had been jailed as a result of the statements made by Freeman to the Hackensack police department who had refused to accept Moretti's complaints for a week. At a later date, Takvorian fined appellant March

30, 1997 for failing to pay his water bill.

Despite the contention by United Water Resources Inc. that the water charges have been proven in court, appellant has shown that the figures are in error. When the special civil part of Bergen County scheduled a hearing on these water bills, the water company moved for summary judgment. Judge Polito, presiding judge of special civil part in Bergen County, denied the motion and set a date for trial. Judge Polito was replaced by Ellen Koblitz, who had just acted as a lawyer in a drug case on behalf of appellant's tenant in Apartment 395-D Park Street. The tenant was convicted and incarcerated for six years. Judge Koblitz granted summary judgment to the water company [App 118, (DC-705907-92, DJ-111274-95)] on a $7,400 bill [App 117-118] (despite payment of $22,500) , and refused the offer of evidence made by appellant herein. The water utility refused to comply with discovery demands in that case (DC-705907-92) and in a subsequent water case (PUCC 07022-95N, App 200). John Wallace represented the water company in both cases. Appellant Moretti filed a complaint with the Board of Public Utilities in Newark. Appellant Moretti submitted thirty-two questions [App 200-206] for the water company to answer. It refused to answer any of the questions. On the morning of the trial, John Wallace faxed the Answers [App 207], over twenty answers being that the issue of water usage is immaterial. The answers were signed by no one. Even when given an opportunity to prove its case, United Water Resources Inc.. failed to do so. Despite appellant Moretti's claim of failure to meet the demands of discovery, Judge Gerson filed a decision [App 190-192] which was based entirely upon the testimony of a bill collector (DePiero) who was also the meter reader. The meter was not replaced nor checked nor was consumption tested under controlled conditions and for typical periods of high use when malfunction would have been evident. This defeated the purpose of segregation of roles/interests which is fundamental to good auditing practice. It failed the scientific test which would have shown error in actual practice. It failed

the purpose of expert evidence in court based upon control for extraneous factors.

Ten years after a suspicious fire nearly burned down 390 Park Street, Hackensack (appellant's office) [App. 195] in October, 1987, Richard Carucci posted the buildings at 391-395 Park Street, Hackensack. He claimed on behalf of the Hackensack Fire Department that the twenty unit apartment house was uninhabitable and that all utilities must be shut off. It is interesting to note that over three hundred fire alerts had forced the neighboring seventy two unit apartment house (370 Park Street) into bankruptcy sale several years prior (transfer from Dr. Coccoziello to Frank Alster). After the 1992 water shut off and the passage of Resolution 260, appellant set about trying to pay off the water bill. He encountered difficulty in doing so in that he was robbed at the Citibank in New York City on August 8, 1994 of over $7,000 of receipts from the apartment rents. Appellant filed complaint first in the federal district courts, and then in the state court in New York (Kings county court docket No. 2727-96), where the case is stalemated by Citibank lawyers who have adequate funding to make numerous appearances and file voluminous briefs countering appellant's requests for restitution.

Prior to the shut off, John Wallace appeared before Judge Lawrence Smith and revealed that the water company never applied any money to past bills (App. 53 - He's paid money over the year on current bills, Judge, not on the <u>past bills</u>, and that's what we're dealing with, And when he did not make those payments, he was shut off. We appeared in municipal court as a courtesy. By merely juggling figures, Wallace attempts to prove that despite appellant's payment of $2,000 in March, 1997 [App 98.1], and despite offer of payment an additional $5,249.11 [App 174][App 66-67] in court, money is still due and owing. Wallace persisted and shut off water service permanently, resulting in the building closure on April 2, 1997. The fully occupied structure yielded $13,000 rental income per month and carried a small mortgage of less than $2,000 per apartment; after twenty one months $273,000 rental

income from the property has been lost by appellant.

Appellant's two buildings, 391 Park Street, the southerly building, containing ten units (with three room apartments in each unit, as well as a cellar heating system for both buildings) and 395 Park Street, the northerly building (also containing ten units with a cellar for laundry and gas and electric and water meters) was boarded up six months after the shut down on April 2, 1997. The City of Hackensack sued in municipal court to recover the cost in doing so. The case came on for hearing before judge Dinice [App 31], but since he was suing Moretti due to a prior federal district court action, he recused himself and the case was transferred to Elmwood Park. Judge Cippolone found Moretti guilty on March 24, 1998, and fined him. Only thereafter was it learned that Judge Cippolone was the attorney for the Hackensack planning board and had an obvious conflict of interest in that complaints were filed in both the state and federal courts claiming that compensation for condemnation under the eminent domain statute of New Jersey involved both zoning and planning law, and required a three judge panel hear the case due to the taking of the property [App 176].

On September 23, 1998, Richard Salkin filed a motion to dismiss the complaint filed by the appellant herein [App 208]. Salkin's colorful language fails to hide the inability of the city to explain its role in the shut down. Salkin states that plaintiff (Moretti) has shot himself in the foot by his references to his apparently unsuccessful appeals of those municipal real estate tax assessments for numerous years [App 211-212]. Salkin states that "While it is Plaintiff's (Moretti's) implicit belief that human beings can live without a water supply (and continue to pay rent to him?) this is not so [App 210]." Appellant Moretti within maintains that the commission of crime of vandalism on the property by tenants and third parties was due to the inability of tenants to pay exorbitant rents necessary due to errors in assessment procedure. Moretti states at App 120 that "despite tax appeals in 1976-1981, Hackensack boosted his assessment in 1987 from $295,000 to $795,000 [App

151] on lots 22 and 23 (the twenty unit apartment house at 391-395 Park Street, Hackensack)". A $4,000 per month decline in rents collected between February 1991 and February 1992 reflect tenant defaults. Contract rents were not collectible. The water was shut off during litigation on that issue due to non-payment of an unexpected increase in water bills (despite vacancies) [bills amounting to over $45,000 between 1991 and 1996]. On October 9, 1998 judge Isabel Brawer Stark conducted a motion hearing for less than eight minutes at which time she adjourned to consider the issues within this case. On October 13, 1998, Judge Stark signed an order dismissing the complaint [App. 1]. Judge Stark mistakenly believed when she signed the order that "plaintiff asserts over taxation but has been through (the) Tax Court." Clearly, this is error. If this were so, how were the Mason appraisal or the market data shown at App. 163 considered? How was the fair net operating income considered within the municipal code at Section 134-2 [App. 164]? How did Judge Pizzuto respond to the matter of the adoption of federal wage guidelines by the N. J. Administrative Code Section 12:56-6.1 in the case docketed as 8336-93? Judge Pizzuto dismissed this case with prejudice at a summary judgment hearing without consideration of the facts of the case [App 121]. In the following year it dismissed petitioner Moretti's case again, docket No. 9479-95 [App 127] upon motion for summary judgment without testimony by either Moretti or the city of Hackensack, and without consideration of the facts of the case.

At the motion hearing on October 9, 1998, Judge Stark appeared to be of the belief that the case had already been dismissed by her, suggesting that she recollected a motion hearing on July 14, 1997. She claimed at that motion hearing that the United States Bankruptcy Court had sole jurisdiction to act in the matter, and that "no release or dismissal from the United States Bankruptcy Court has been provided.[App 5]." In fact the United States Bankruptcy Court dismissal of In Re Salvatore Moretti, Chapter 13 Filing, Docket No. 97-24,418 (NLW) was filed on July 10, 1997 [App 27.4] four days

previously and a copy of this order was provided to Judge Stark.

On October 20, 1998, Patrick DeAlmeida on behalf of Attorney General of New Jersey Peter Verniero, filed a motion to dismiss appellant's complaint with the Superior Court in Bergen County [App. 213]. The state claims at App. 220 that, "the sole allegation set forth against the state is that it made routine housing code inspections of plaintiff's property over one year and fined plaintiff [App 172, 173, 176] for failing to correct code violations." Clearly, this is mistaken. There was nothing routine in the inspections. Consider appellant Moretti's description of one such routine inspection - [App 165] [Hackensack building inspector Julei Ferenczi] and the state have claimed that building code violations exist at the site. On numerous occasions, plaintiff discovered that tenants removed plumbing parts from their apartments and substituted defective used parts. For example, at Apt. 391-G, Ferenczi and plaintiff entered the apartment and found the water running in the bathroom in the sink continuously. The tenant had changed his front door lock and refused to give the plaintiff the key, thereby preventing repairs to the apartment. After Ferenczi left, Moretti entered the apartment, removed the Gerber stem, and found the brand new shiny Gerber seat he had installed that week. Moretti did not find the new Gerber stem, so he installed another new Gerber stem to complete the repair. Obviously the tenant had quickly changed the stem but did not have time to insert a defective seat. Consider the level of vandalism exhibited by the broken windows on appellant Moretti's car shown in Photograph Page 37 (Photographs by digital imaging are included after App. 181). Appellant described many incidents to the N. J. Tax Court, to Judge Stark, to Judge Dinice, to Julei Ferenczi, and to various state and municipal officials. Moretti was required to move his tools while performing routine repairs to keep all tools within sight as he performed the repair. If he did not do so, the tools were stolen by the tenants. These tenants had removed their toilet seats, had taken their toilet tank parts out

and replaced them with defective toilet tank parts or strung twenty feet of strings between the parts to fabricate incompetent repairs which would justify complaints to the proper officials; these tenants had removed smoke detectors. They too had tools, as can be seen from the photos of cars being worked on in the vacant lot at 387 Park Street to the south of the two apartment buildings. These cars show signs of having the transmissions removed, or the motors removed, such as photo 12, photo 22, etc.

This vandalism accelerated when the property utilities were shut-off on April 2, 1997, resulting in Moretti filing a complaint [App 19] with the Hackensack police department on July 19, 1997. That complaint stated that numerous air conditioners had been stolen out of the apartments. Consider the difficulty of performing routine maintenance activity when the resident manager and maintenance man, appellant Moretti, resident at 391-B Park Street, was assaulted while speaking to Bernard Fayehun, a tenant, by one Killian Osuji [Hackensack Police Department Assault and Battery, App 181.1]. Consider that appellant Moretti was confined five time in the Bergen County jail annex as per "View History of an Inmate [App 181.2]." Consider that Appellant Moretti was denied loans by banks [App 182-183]despite the pay off of all mortgages in 1978 after twenty years of ownership, pursuant to the negative cash flow at the property caused by high vandalism, high taxes, and high legal costs. This forced appellant to perform routine maintenance himself. The maintenance was not routine maintenance. To protest excessive rents caused by over assessment, minorities were forced to sabotage building operations, resulting in main sewer line back-ups. Photo 45 shows the heavy duty snake head required to run the main sewer line 400 times to the middle of Park Street from the clean out in the basement. The tenant over the clean out in Apt. 395-A [Photo number 45] pulled out his ceramic tile so that water would seep down over the basement clean-out thereby interfering with the main sewer line snaking procedure. After seven months of looting,

in which every steel door was forced upon despite every door being dead bolted shut, with every air conditioner removed, the building came to look like the Friendship House (the psychiatric halfway house owned by the Gutterman Musicant funeral home) photos shown at photo 29-31.

As a result of the foregoing, one sees that only the defendants claimed there were "routine" inspections. For example, the city manager LaCava claimed that as a result of routine sweeps in the Park street neighborhood, "the City has inspected over 20 properties on Park Street and the immediate vicinity relative to violations of City Ordinances [App 183]" Appellant within personally visited Mr. LaCava and described to him that the burning down of 111 Passaic Street on March 10, 1978 had alerted Moretti to the extreme neighborhood conditions which were not being addressed by either the city or state. 111 Passaic Street is pictured at the center of photo 34. Below that photo is the adjacent house which burned in a similar fire subsequent to appellant's release from jail after Freeman filed complaint with the Hackensack police department. Above the 111 Passaic street photo on page 34 is 387 Park Street - the Friendship House, which was demolished - the vacant lot was purchased by appellant with the expectation of preserving the neighborhood. This expectation proved illusory.

After the state learned that Judge Stark had signed the order provided by the City of Hackensack dismissing the complaint, it retracted the motion.

LEGAL ARGUMENT

Appellant Moretti incorporates by reference the numerous briefs submitted to the trial court as the basis for this appeal to the Appellate Division. Those briefs were not even considered by Judge Isabel Stark, who devoted but eight minutes on October 9, 1998 to the hearing on the motion to dismiss. Of considerable weight is the letter brief submitted at App. 100-108, and the letter brief at App. 112-145

CONCLUSION.

Appellant hereby requests that the appellate court reverse

the determination of judge Isabel Stark as contained in the Judgment to Dismiss dated October 13, 1998 [App 1], and requests that the loss of rental income of $13,000 per month over the past twenty one months, and the loss of wages for work performed at the apartment site from 1973 to 1998, be considered along with the loss in the value of the buildings (391 and 395 Park Street, Hackensack, New Jersey) and adjoining lot (387 Park Street), which carry a total assessment of $840,000. Consider that the defendants have jointly and severally acted to prevent appellant's ownership and proper operation of the apartment property, while they claim no responsibility to enforce the laws which they are obliged to uphold.

Date: January 21, 1999

Submitted by: (s) Salvatore Moretti, Appellant

Motion for Reconsideration filed by Moretti on Nov. 30, 1999

Salvatore Moretti
Canal Street Station, P. O. Box 1306
New York, New York 10013-0876

SUPREME COURT OF NEW JERSEY

391-5 PARK EQUITIES,L.L.C.,
Plaintiff

- vs. -

SALVATORE MORETTI, HACKENSACKWATER CO. MAYYOR JOHN ZISA, STATE OF NEW JERSEY, LOUIS J. DINICE, AND HENRY J. AMOROSO,
Defendants

Chancery Div.-Bergen County
Docket No. F-7502-98
Supreme Court No. 48,551
Civil Action: Nov. 30, 1999

MOTION FOR RECONSIDERATION CERTIFICATION BY MORETTI, OWNER AT 391-5 PARK ST., HACKSACK, NEW JERSEY

Under oath, Salvatore Moretti, defendant property owner of property situated at 391-395 Park St., Hackensack, N. J., hereby declares as follows:

1. 391-395 Park Street, Hackensack, N., J. has been listed for Sheriff's Sale in the Bergen County Sheriff's office for

December 1, 1999. The attached materials abstracted from a brief I am providing to the Supreme Court pursuant to their order granting an extension show that the within listed sheriff's sale planned for December 1, 1999 is unjust and should be postponed. The loss in rent at the apartment house, owned free and clear in 1978, computed at $13,000 per month equals $406,000 (since building closure on April 1, 1997). Staff Attorney Mark Neary stated in his November 12, 1999 letter that the case was dismissed at the Supreme Court's November 3, 1999 meeting. However, the Supreme Court also entered an order in response to my motion to submit a brief, granting a time extension. This order contradicts the premature dismissal. Based upon the Court's error in providing the notice of briefing schedule to the wrong address (the notice was sent to 390 Park St., Hackensack, now in the possession of an unrelated party), and the problems in the Bergen County Sheriff's Department (89a, etc.) and the Hackensack Police Department, the case should be considered as involving constitutional issues.

2. The Surveillance Team which arrested Stedtler included Mike Mordaga, who entered 395-D Park Street, Hackensack to effect an arrest for distributing cocaine within 1,000 feet of a school. The apartment is located within two blocks of three schools. Mordaga entered the race for Sheriff (App. Page 88). He opposed Jay Albert, a former Hackensack police officer, who now seeks opening of a Dog House Grill (page 88a) opposite the Record Newspaper. Mordaga was on notice when I entered Apartment 395-D that Stedtler was released from the county jail under a Home Confinement Program (91a) whose success in operation was claimed by Sheriff Terhune (91a). Stedtler was being confined to apartment 395-D without water, electric, heat, and light because Hackensack enacted a Resolution on August 17, 1992 and arrested me (134a). The Federal District court denied relief since state remedies existed (1a-41a). Dinice's attorney demanded $8,496.09 (60a) since Dinice heard the water case in Hackensack Municipal Court, which also tried Stedtler for cocaine distribution (66a). Stedtler

was arraigned under three counts (63a) by Judge Sullivan who also seeks money damages in this suit. Sullivan revoked Stedtler's parole, and imprisoned Stedtler in Edna Mahon Women's Prison (at Clinton, N.J.), preventing her tenancy over a period of five years, including jail time in Bergen County. Koblitz acted as head of the public defender's office defending Stedtler, but she also granted summary judgment in favor of the withholding of water to Stedtler (despite the refusal by the water company's lawyer to provide discovery, (77a), and other tenants, and in favor of the Hackensack Water Co. Supreme Court, #48,551. Motion for Reconsideration, Nov. 30, 1999.

(68a). I, too, was arrested and jailed repeatedly by the Hackensack police (74a). Mordaga was repeatedly entering apartment 395-D (while I was performing repairs - a hole in the ceiling). The team to make the arrest included various cocaine purchasers who sought drugs from Stedtler in my presence. The electronic surveillance was evident after Stedtler was released from county jail on River Street, Hackensack.. Auditory cues were received at police headquarters, resulting in Mordaga's driving down Park Street, which was in poor condition at that time, resulting in the police car careening from side to side speeding down the street to the apartment while I was inside. The street has since been paved. There are state and federal guidelines (N.J.S. 2A:156A-1 - 80a, 18 USC Section 2510) applying to such surveillance, but they were disregarded. Since they were disregarded, poverty resulted, (84a) inducing the very crimes complained of. Now forfeiture is over-extended from Stedtler to me. Prosecutor Amoroso seeks money damages as well, knowing that the poverty resultant therefrom results from a conflict of interest between trial lawyers appearing on behalf of criminals and prosecuting criminal matters in other towns. This is currently subject of Supreme Court review.

3. Electronic surveillance was also evident when my house at

390 Park Street, Hackensack, had a "mysterious" fire which nearly gutted the house. A simple contingency was used to start the fire. I was told instantaneously upon ignition to get out of the house so the fire would consume the house. Nevertheless, I put out the fire. After I did so, Hackensack sent an investigating team to find out why the house had not burned down. They knocked down doors in the house (as I repeatedly have described) although I stood there with the keys in my hand, in order to do damage. Carucci sent a notice demanding entry to check the building. Carucci later shut down the apartment house at 391-5 Park St. Subsequently Beverly Freeman, under grand jury indictment and resident at 390 Park St., glued shut all the doors at 390 Park St., Hackensack. I filled out a complaint in the Hackensack police department which was "delayed"; I was arrested and jailed on River Street by the Hackensack police, who entered her room and advised her how to get rid of me. More recently, when I called police headquarters I was told if I complained about this I would be arrested. I discussed these matters with Eric Martindale (116a) who lived in the condos on Park Street, since he was distributing fliers showing "drunken people" in the Park Street neighborhood. Unfortunately, aberrant behavior is common in this vicinity but was not considered in Mason's appraisal for tax purposes (70a). I was interested in these problems since I ran for city council in 1981 (53a). Aberrant behavior and arson were evident in 1978 (54a), since the house adjacent to 395-D Park St. burned down on March 10, 1978. I filed suit then, but the lawyer handling the case was disbarred.

4. Although the allegedly poor building maintenance resulted in my being jailed by Dinice, the building inspector at the property with the state inspector from 1992 to 1996 stated that a local outfit had caused the building damage, as well as the error in inspection reports. Hence, the loss in income from the building prevented pay-off of the fines invoked by the federal district court. As a result, the poor credit rating turned in to

banks (71-72a) prevented payment to the Hackensack water company. This outfit specialized in the transfer of title to property using the illegal methods described. The fact that these acts have been going on since 1943 (79a) and involve anti-Catholic prejudice is evident, but is disregarded.

5. The foregoing statements made by me are the truth. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: November 30, 1999
Respectfully submitted: (s) Salvatore Moretti, Pro Se

App. 20

SUPREME COURT OF NEW JERSEY

Stephen W. Townsend, Office of the Clerk, P O Box 970, Trenton, New Jersey 08625-0970

Gail Grunditz Haney, Deputy Clerk

February 17, 2000

Mr. Salvatore Moretti, Canal Street, P O Box 1306, New York, NY 10013-0876

Re: 391-395 Park Equities LLC v. Moretti (48,551)

Dear Sir:

Your papers dated February 11, 2000, have been received by this Office. These papers cannot be accepted for filing.

The above-referenced case was dismissed by the Supreme Court on November 5, 1999. Reconsideration was denied on January 28, 2000, as were two motion for a stay of the sheriff=s sale. Your papers of February 11, seek the same relief that was already considered and denied by the Court. The Rules of Court do not permit you to continue to file repetitive motions like this.

Please be advised that the submission of any additional papers to this Court seeking relief in respect of this property may subject you to sanctions.

_s__Mark Neary
Staff Attorney

c: Howard D. Lipstein, Esq.

SUPREME COURT OF NEW JERSEY

Stephen W. Townsend, Office of the Clerk, P O Box 970, Trenton, New Jersey 08625-0970, Gail Grunditz Haney, Deputy Clerk. March 23, 2000. To: Mr. Salvatore Moretti, Canal St. Station, P O Box 1306, New York, NY 10013-0876

Re: Your papers dated March 14, 2000 and March 17, 2000
Supreme Court Docket Nos. 48,238, 48,551, and 49,242

Dear Mr. Moretti:

This office is in receipt of your papers of the above-referenced dated. These papers do not comply with the Court Rules, and therefore will not be filed or acted on by the Court. Neither the Clerk's Office nor the Supreme Court are required to parse lengthy, single-spaced papers like those you have submitted to determine what relief a party may be requesting. The relief sought must be clearly expressed in a notice (notice of motion, notice of appeal, or notice of petition for certification). All papers must be double-spaced, and briefs are subject to strict page limitations.

Enclosed is a copy of the Supreme Court's Guide for Litigants without Lawyers. I suggest that you read the Guide closely and follow its instructions in preparing any future papers.

I also note that your appeals in 391-395 Park Equities v. Moretti, (Docket No. 48,551) and Chase Mortgage Services, Inc. v. Moretti (Docket No. 48,283) have been dismissed, and no further papers will be accepted for filing in those cases. (see my letter dated February 17, 2000, copy attached.) In addition, although you have filed a notice of appeal in Moretti v. United Water Resources, Inc. (Docket No. 49,242), that appeal is subject to possible dismissal just as your previous appeals were dismissed. (A party has the right to appeal to the New Jersey Supreme Court in very limited circumstances B see Guide). I therefore suggest that you submit forthwith your answer to the motion to dismiss filed by the Attorney General.

(S) Mark Neary, Staff Attorney

c: Clerk of the Court, Patrick DeAlmeida, John P. Wallace.

INDEX TO INNOCENT OWNERS DEFENSE

1. Page 1a. Jan. 14, 2000 Certification Attachment of Order filed Nov. 10, 1999 391-395 Park Equities v. Salvatore Moretti et al. N. J. Supreme Court No. 48,551. Motion for Leave to File an Appellant's Brief is granted.

2. Page 2a. Order filed Jan 4, 1996 in N. J. Supreme Court, Salvatore Moretti v. City of Hackensack, 41,120, Denial of Petition for Certification. Appeal from Judgment in A-4913-94.

3. Page 3a. Dec. 11, 1996 Administrative office of the Courts to Moretti w.r.t. letters dated Oct 21 to Nov. 8, 1996 to Governor Whitman.

4. Page 4a. Order filed on Feb. 7, 1995. Tax Court of N. J. (s) Peter D. Pizzuto, J.T.C. Order written by Donald J. Lenner, Esq. 286 Union St., Hackensack. Order Dismissing Tax Court complaint Salvatore Moretti v. City of Hackensack, Docket No. 8336-93.

5. Page 5a. Order filed April 22, 1993 Superior Court, Special Civil Part, Salvatore Moretti v. Hackensack Water Company, Docket No. 705907, Order Granting Summary Judgment to Hackensack Water, order drafted by John P. Wallace, Esq.216 E. Ridgewood Ave., Ridgewood, N.J. Order signed by Ellen Koblitz, formerly lawyer in Legal Defense defending Susan Stedtler.

6. Pg. 7a. Order Filed June 14, 1993. No. 705907, Order denying rehearing in above case, signed by Koblitz.

7. Pg. 8a. Order filed June 15, 1993. Docket No. DC-4327-93. Moretti v. Acquanetta Fields and Bergen County Board of Social Services, (s) Ellen L. Koblitz, Judge in Special Civil Part, Superior Court in Bergen Cty., $2,070.40 to B.C.B.S.S. due to counsel fees to Richard P. Williams representing the B.C.B.S.S.

8. Page 10a. Order signed by Judge Gerald Escala, J.S.C., Chancery Division, Chase Mortgage Services v. Salvatore Moretti et al., Docket No. F-16923-97, Order dated Feb. 9, 1999. Stay of Execution of Writ of Eviction from 390 Park Street Home Denied.

9. Pg. 11a. Sheriff's Notice. Howard D. Lipstein, Esq. 535 Morris Ave., Springfield, N.J. Sept. 29, 1999 Sheriff's Sale of 391-395 Park St., Hackensack. CH75964.

10. Pg. 12a. Prosecution and Defense of Forfeiture Cases, Martin Bender Publishers, From Swagger to Suicide, Nicholas Bissell Jr.,

D.A. of Somerset County. See Leonard Levy, A License to Steal. Also: Civil Forfeiture as a "Sin Tax" - By Boudreaux and Pritchard.

11. Pg. 13a. U.S. v. All Right, Title and Interest in Property, 744 F. Supp. 510 (S.D.N.Y.)

12. Pg. 17a. Forfeiting Our Property Rights, by Rep. Henry Hyde, 1995.

13. Pg. 20a, United States v. Real Property Located at 6625 Zumirez Drive, Malibu, California
845 F. Supp. 725.

14. Pg. 24a. Cheh, Can Something This Easy, Quick, and Profitable Be Fair, 39 N.Y.L.Sc. L. Rev.1.

15. Pg. 24a. Leonard W. Levy, A License to Steal, The Forfeiture of Property, 1996.

16. Pg. 35a. Organized Crime in Interstate Commerce, Tuesday, Dec. 12, 1950. U. S. Senate, Sen Kefauver. Testimony of Salvatore Moretti, Sr.

17. Pg. 46a. Death Certificate of Guarino Moretti, Oct. 4, 1951. Death due to Bullet Wounds of Head

18. Pg. 47a. May 18, 1954 Bergen Evening Record, Selser Studying his next move after order to tell on Moretti.

19. Pg. 48a. Death Certificate of Salvatore Moretti, Died in Trenton State Prison, decedent's home was in Demarest, N.J.

20. Pg. 49a. Bergen Evening Record, June 9, 1952. Article Entitled Hemorrhage Fatal to Solly Moretti - Bergen Racketeer Stricken During Prison Term.

21. Pg. 50a. Letter dated Feb. 22, 1974. Gladstone, Hart Law office to Joseph Zisa, Zisa and Jacobs, Esqs. Hudson St., Hackensack, dated Feb. 22, 1974, stating this office has been retained by Salvatore Moretti with respect to Park Court Apts. In its rent appeal to the Hackensack Rent Board.

22, Pg. 53a. Oritani Savings and Loan Bank Mortgage Printout showing Jan. 1, 1975 to Oct. 31, 1975 balance on mortgage decreasing from $40,594.29 to $33,613.96 with mortgage payments of $877.63 per month on a loan of $125,000 made November 12, 1958 of $125,000 to ROR Construction Corp. on property at 391-395 Park St., Hackensack, with current address at 391 B Park St., Hackensack.

23. Pg. 54a. Record newspaper article April 18, 1978 entitled, "A sad

familiar story," stating Salvatore Moretti is suing Friendship House which moved psychiatric patients into 387 Park St., Hackensack despite the fact that the property owner, the Gutterman Musicant funeral home, did not notify neighborhood property owner's that it was seeking a zoning variance. Hollis abandoned the suit, resulting in dismissal by the Bergen County Assignment Judge.

24. Pg. 55a. Jan 13, 2000 Record article showing different attitudes of William "Pat" Shuber, Bergen County Freeholder, and John F. "Jack" Zisa, Hackensack Mayor, about role Hackensack is to play as the county seat.

25. Pg. 57a. Jan. 14, 2000 Record article about Eric Martindale (environmentalist), entitled, Puppy killer must dig graves at pet cemetery. Sentenced to 300 hours' service.

26. Pg. 58a. April 4, 1997 Record article about closure of Park Court Apartments on April 1, 1997 by Carucci of the Hackensack Fire Dept., entitled, Apartments condemned over unpaid water bills.

27. Pg. 59a. April 2, 1997 Denial of Order by Judge Lawrence D. Smith, as discharge of water bill, docketed as Judge Koblitz' judgment for $6,655.11 of April 16, 1993 (DC-705907-92), despite offer by Moretti to pay same. Two P.M.O.'s of $1,000.00 were paid, 3/14/97 and 3/17/97, and three more were offered on 4/2/97, as well as a $2,000 check, and a remaining balance by a P.M.O. of $600, plus a check from Salvatore Moretti of $149.44.

28. Pg. 60a. April 4, 1997 Denial of Order drafted by Moretti by Judge Lawrence D. Smith, case of **Moretti v. Hackensack Water Co.**, DJ-111274-95, seeking to pay money directly into Superior Court in order to require the water company to discharge Koblitz' judgment for $6,655.11, thereby preventing the closure of 391-305 Park St., Hackensack.

29. Pg. Pg. 61a. August 17, 1992 **Resolution 260** adopted by the Hackensack Municipal Council with respect to water account Y 0618519050-1 belonging to Park Court Apartments, 391-395 Park St., Hackensack. [first page of resolution only shown]

30. Pg. 62a. Richard Salkin's Brief filed with the Appellate Division in defense of Hackensack's closure of 391-395 Park Street, Hackensack, which appeal was filed by Moretti seeking to overturn Judge Stark's dismissal of **Moretti v. United Water Resources, Inc.,**

City of Hackensack, and State of New Jersey, BERL-5678-97, the complaint filed June 17, 1997.

31. Pg. 65a. Order filed April 23, 1997 signed by Judge Lawrence D. Smith, order drafted by John P. Wallace attorney for water co., DJ-111274-95, DC-705907-92.

32. Pg. 67a. Jan. 25, 1999 letter by Moretti to Foreclosure Office of Superior Court in Trenton stamped "Contested $105.00 Check" Received, Jan. 28, 1999, case of 391-395 Park Equities L.L.C. v. Salvatore Moretti, Hackensack Water Company, Mayor John Zisa, State of New Jersey, Louis J. Dinice, and Henry Amoroso, F-7502-98. Shortly thereafter, Moretti was evicted from 390 Park Street, Hackensack office due to Bergen County Sheriff's Sale of 390 Park Street at which T Performance (Kevin O'Shea) bought the house.

33. Pg. 68a. Writ of Execution by 391-395 Park Equities (Howard D. Lipstein, Esq., 535 Morris Ave., Springfield, N.J.) F-7502-98, (s) Donald F. Phelan, June 30, 1999.

34. Pg. 71a. Resume of Salvatore Moretti, showing attendance at Englewood School for Boys from 1950-1958, George Washington University, and New York Law School, plus work in the food industry up to 1999.

35. Pg. 72a. Photo of Salvatore Moretti's Car window and front headlight after his car was attacked by an ax wielding person the morning Moretti was scheduled to appear before Judge Lawrence D. Smith in Superior Court with respect to Apt. 395-C tenant's non-payment of rent.

36. Pg. Notice of trial in Saddle Brook Municipal Court dated Aug. 31, 1993, N.J. v. Killian N. Osuji, trial set for Oct. 6, 1993, after recusal by Hackensack Judge Dinice. Fayehun could not attend since he was hospitalized a second time, after he was beaten up a second time, just prior to trial.

37. Pg. 74a. Urgent Care Medical Group, Sept. 21, 1993 report showing treatment of Bernard Fayehun, tenant in 390 Park Street, Hackensack house (room rented by Moretti) due to beating received from the Osuji gang.

38. Pg. 75a. Order signed by Judge Ellen Koblitz, allowing Fayehun to reenter room rented at 390 Park St., Hackensack, order signed Nov. 12, 1993. When Moretti appeared to explain what had occurred (attack by Osuji) prior to Fayehun's inability to pay rent and live in

Room No. 2, he was removed from the court by security in the Bergen County Court House upon the order of Judge Koblitz; the security force was under the control of the Bergen County Sheriff's department.

39. Complaint DC-705907-92, filed by Moretti, Moretti v. Hackensack Water Company seeking $7,500 due to over-billing on account in which 320,892, 1,298,528, and 425,612 gallons of water use were billed in consecutive quarters at 391-395 Park St., Hackensack apartment house. Complaint filed in Special Civil Part, first heard by Judge Ralph Polito, Presiding Judge of Special Civil, then by Judge Ellen Koblitz, Presiding Judge of Special Civil, newly transferred after Koblitz was transferred from Bergen County Legal Defense Group to judgeship.

40. Pg. 78a. 1991 Appeal by Moretti to Bergen County Board of Taxation, showing $766,800 real estate assessment (reduced from $792,300 due to locational obsolesence) for Block 418, Lots 22 and 23, a.k.a. Park Court Apts., 391-395 Park St., Hackensack.

41. Pg. 79a. Nov. 14, 1994 notice by Moretti to Donald J. Lenner, Esq. 286 Union St., Hackensack, with respect to failure to answer interrogatories in tax appeal to N. J. Tax Court, Case No. 833693 dealing with Park Court Apts.

42. Pg. 81a. Aug. 16, 1977 letter to Joseph Squillace, Hackensack City Manager, concerning problems at operation of boarding house at 111 Passaic Street, Hackensack, including barking dogs, etc. Signed by Moretti, on letter head of ROR Construction Corporation.

43. Pg. 82a. Aug. 17, 1977 reply in re disturbances at 111 Passaic St., Hackensack.

44. Pg. 83a. May 12, 1978 letter to Joseph Squillace with respect to fire which gutted 111 Passaic Street house, on March 10, 1978.

45. Pg. 84a. May 15, 1978 Roger W. Breslin, Bergen County Prosecutor, with respect to arson investigation at 111 Passaic Street, Hackensack fire.

46. Pg. 85a. Record article disapproving of the lawsuit filed by Moretti against the psychiatric half-way house at 387 Park St., Hackensack., terming the suit a one man vandetta.

47. Pg. 86a. Special Civil Complaint filed by Moretti in case of **Moretti v. Edwina Alexis, Hackensack Police Dept., and Hackensack Fire Dept.,** detailing the break into of Apt. 395-B Park

St., Hackensack leased to Alexis on June 14, 1992.

48. Pg. 87a. Posting of Bail of $750.00 by Salvatore Moretti to release Susan Stedtler, (State of New Jersey v. Stedtler), from Bergen County Jail on June 20, 1992 after she was arrested in her apt, 397-D, due to violation of the law on controlled dangerous substances.

49. Pg. 88a. Complaint filed by Michael Mordaga, in which Eric Winfield was arrested Jan 31, 1992 in Susan Stedtler's apartment 395-D, due to cocaine possession.

50. Pg. 89a. Oct. 3, 1992 article appearing in the North Jersey Herald and News, entitled "Drugs stashed on 4-year old, Cops find coke, pot on girl," detailing arrest of Susan Stedtler, Jefferson Eason, William Eason, and Tracy Hagler by Hackensack police officers Christopher Toomey and Woody Powell Arrest was at a Second Street apartment house.

51. Pg. 90a. Excerpts from Moretti's files noting arrest of Susan Stedtler on May 8, 1992 on four warrants by Hackensack Police, warrants related to C.D.S. violations, resulting in imprisonment of Stedtler in Edna Mahon Woman's Prison in Clinton, N. J.

52. Pg. 92a. Transcript of Proceedings before the Bergen County Superior Court, Judge Lawrence D. Smith presiding, on April 11, 1997, case of Moretti v. Hackensack Water Co., DJ-111274-95.

53. Pg. 115a. April 20, 1993 Brief filed (U.S.D.C. 93-528) by Moretti in opposition to Dismissing of Case, Salvatore Moretti v. Timothy J. Sullivan and Louis J. Dinice, United States District Court, brief submitted to Judge John C. Lifland, J.D.C. Brief argues that there were civil rights violations by the judges leading to the incarceration of Stedtler, and failure to follow procedural due process protections afforded by the law.

54. Pg. 157a. Jan. 18, 1999 letter by Thomas Martin, in re Moretti v. Dinice and Sullivan, seeking $496.09 awarded by the federal trial court.

55. Pg. 159a. Deposition of Mary Wing, case of Moretti v. Citibank, Citibank Branch No. 11, Mary Wing, and John Doe, due to robbery in July, 1994 from Moretti of over $7,000 of rents paid by tenants at 391-395 Park St., Hackensack. Robbery occurred in Citibank Branch No. 11 at Broadway and Canal Street, in Lower Manhattan, as Moretti sought to deposit the money to pay bills.

56. Pg. 203a. Deposition on Oct. 23, 1993 of Bernard Fayehun in case of Moretti v. Killian N. Osuji, case filed in Superior Court of New Jersey.

57. Pg. 248a. Transcript of Proceedings before the Hackensack Municipal Court on Dec. 4, 1995, Hon. Theodore Takvorian, presiding, case of cross-complaints filed by Beverly Freeman and Salvatore Moretti relating to room rental at 390 Park St., Hackensack. Beverly Freeman v. Salvatore Moretti, Salvatore Moretti v. Beverly Freeman.

58. Pg. 264a. Transcript of Motion before the N. J. Tax Court, June 10, 1996, Docket No. 9475-95, Excerpts from hearing on Moretti v. City of Hackensack, Tax Appeal of assessment of Park Court Apts, 391-395 Park St., Hackensack.

59. Pg. 275a-276a. Resolution 260 passed Aug. 17, 1992 by Hackensack dealing with water bill at Park Court Apts.

60. Pg. 277a. Transcript of Proceedings on August 17, 1992, Aug. 19, 1992, and Aug. 26, 1992, in case of State of N. J. v. Salvatore Moretti before the Hackensack Municipal Court, Judge Louis J. Dinice presiding.

61. Pg. 301a. Transcript of Proceedings on Sept. 2, 1992, Oct. 7, 1992, Oct. 28, 1992, Nov. 4, 1992, Dec. 3, 1992, before the Hackensack Municipal Court, Judge Louis J. Dinice presiding., City of Hackensack v. Salvatore Moretti, C-92-3106. Case involved water payments. Prosecutor Henry Amoroso appearing on behalf of the State of N. J.

62. Pg. 395a. Denial of Order submitted by John P. Wallace, Esq. on behalf of Hackensack Water co., D.C. 705907-92, Order seeks to dismiss complaint filed by Salvatore Moretti. Judge Ralph A. Polito, J.S.C., P. J. Special Civil, Denied the order Jan. 8., 1993.

63. Pg. 396a. Order Granting Summary Judgment, Moretti v. Hackensack Water Co. D.C. 705907-92, Order Filed April 22, 1993, signed by Judge Ellen L. Koblitz., newly transferred in as Presiding Judge of Special Civil. Order grants water company $6,655.11.

64. Pg. 398a. Moretti v. Hackensack Water Co., D.C. 705907-92. Motion to reconsider denied by Judge Ellen L. Koblitz, Filed June 14, 1993.

65. Pg. 399a. Moretti v. Hackensack Water Co., BER-L-08191-92. (s) Oct. 13, 1992, Complaint dismissed by Judge Edward Van Tassel, J.S.C. Order filed Oct. 16, 1992.

66. Pg. 400a. Appellate Division Order dated Aug 14, 1992, case of Moretti v. Hackensack Water Co., Denial of Order for emergent relief by the Appellate Division relating to shut off of water services, with statement that the Bergen County Board of Social Services and the Housing Authority of Bergen County shall be notified as to the shut off of water services at 391-395 Park St., Hackensack. Park Curt Apts.

67. Pg. 401a. Temporary Restraining Order denied by Judge Naomi G. Eichen, J.S.C. on July 27, 1992. Order drafted by John P. Wallace, on behalf of Hackensack Water Compay, in Moretti v. Hackensack Water Co. and Board of Regulatory Commissioners, BER-L-08191-92.

68. Pg. 403a. Case of Moretti v. Hackensack Water Co. and Board of Regulatory Commissioners, BER-L-8191-92, Order to Restrain Water Co. from discontinuing water service to 391-395 Park St., Hackensack, order denied by judge James T. Murphy, on Aug. 7, 1992.

69. Pg. 404a. Moretti v. Mayor John Zisa and the Hackensack City Council, et al., Federal District Court Docket No. 92-4226 (HAA). Interrogatories served upon Hackensack Water Co. by Moretti.

70. Pg. 424a. Interrogatories served upon City of Hackensack dated Sept 9, 1992, by Moretti in re Docket No. C-92-2948, C-92-2916, C 92-2940 Summons No. 42-6599, W337641, W337637. Interrogatories not answered under claim that they are not allowed in quasi-criminal cases.

71. Pg. 432a. Answer and Third Party Complaint filed by Moretti, case of State of N. J. v. Moretti, C-92-2916, C 92-2940, C 92-S426599, dated Aug. 25, 1992.

72. Pg. 457a. Transcript of Motion, case of Salvatore Moretti v. Hackensack Water Co., hearing held on April 16, 1993, before Hon. Ellen Koblitz, J.S.C. Motion for Summary Judgment by Hackensack Water Co.

73. Pg. 516a. Transcript of Motion, case of Salvatore Moretti v. Hackensack Water Co., hearing held on June 11, 1993, before Hon.

Ellen Koblitz, J.S.C. Motion for Summary judgment by Hackensack Water co.

74. Pg. 537a. Transcript of Motion, case of Salvatore Moretti v. Acquanetta Fields and Bergen County Board of Social Services, DC-4327-93, Before Hon. Ellen Koblitz, J.S.C., hearing on June 11, 1993. Fields' rent payments terminated upon discontinuance of subsidy by subsidy agent, B.C.B.S.S.

75. Pg. 567a. Interrogatories served upon Hackensack Water Co., Office of Administrative Law, PUCC 07022-95N, answered by John P. Wallace, Esq. on behalf of Hackensack Water Co. with answers shown at 574a, 23 questions were answered with one word, "immaterial," the rest of the answers were ambiguous.

76. Pg. 575a. Transcript of Proceedings before the Office of Administrative Law, case of Moretti v. Hackensack Water Co., PUC 7022-95N, Administrative Law Judge Jeffrey A. Gerson, April 23, 1996.

77. Pg. 638a. Transcript of Order to Show Cause, Moretti v. Hackensack Water Co., DJ-11274-95, April 1, 1997, before Hon. Lawrence D. Smith, J.S.C.

78. Pg. 653a. Transcript of Order to Show Cause, Moretti v. Hackensack Water Co., DJ-11274-95, April 2, 1997, before Hon. Lawrence D. Smith, J.S.C.

79. Pg. 682a. Transcript of Order to Show Cause, Moretti v. Hackensack Water Co., DJ-11274-95, April 4, 1997, before Hon. Lawrence D. Smith, J.S.C.

80. Pg. 702a. Transcript of Order to Show Cause, Moretti v. Hackensack Water Co., DJ-11274-95, April 11, 1997, before Hon. Lawrence D. Smith, J.S.C.

81. Pg. 702a-1023. Deposition of Salvatore Moretti, case of Salvatore Moretti v. Citibank, N.A., Citibank Branch No. 11, Mary Wing, John Doe, et al., Index No. 2727096. Transcript conducted by Sills Cummis, et als., lawyers for Citibank on June 11, 1997.

82. Pg. 1024. Letter sent by Moretti to Clerk U.S. District Court in Newark, N. J. and Clerk, U.S.Court of Appeals in Philadelphia, with respect to case of Moretti v. Dinice and Sullivan, 93-528 (JCL). Letter explains that the attempt to pay judgment in behalf of Dinice resulting from award of legal fees was frustrated by the shut down of the

apartment house which was the result of the problems detailed in the complaint filed with the U.S. District Court by Moretti.

83. Pg. 1029. N.J. Supreme Court published opinion in the case of N. J. v. Leo Jones, 143 N.J. 4, decided Dec. 13, 1995. Jones was arrested at the building at 370 Park St., Hackensack by members of the Hackensack Narcotics Squad following several years of unexplained fire alerts at the building. The case noted at p. 1030 that "on October 18, 1989, Sergeant Michael Mordaga and Robert Wright of the Hackensack Police Department's Narcotics Street Crime Unit were conducting a surveillance near an apartment complex located at 370 Park Street." The Appellate Division stated that the police breaking into the apartment occupied by Jones was a violation of due process, and at p. 1028 states, "the State claims that the outstanding warrant against Collier, along with the flight of Collier and defendant into a known drug location met the exigent circumstances exception. We disagree. In our view, this situation is governed by State v. Bolte, 115 N.J. 479, 560 A.2d 644, cert. denied, 493 U.S. 936, 110 S.Ct. 330, 107 L.Ed. 2d 32 0 (1989)."

84. Pg. 1037. N.J. Appellate Division decision in the case of N.J. v. Harry Kittrell, 279 N. J. Super. 225, 652 A.2d 732, decided January 31, 1995. Arrest of Kittrell for possession of controlled dangerous substances in the Newman Street apartment projects of Hackensack in the same neighborhood as occupied by Park Court Apts., 391-395 Park St., Hackensack.

85. Pg. 1042. N.J. v. Harry Kittrell, 145 N.J. 112, 678 A. 2d 209, N.J. Supreme Court case decided July 3, 1996.On Appeal held that there was no violation of due process. The N. J. Supreme Court stated that "the area surrounding and including 69 Railroad Avenue is located in a high drug distribution area and the Hackensack narcotics Division has made hundreds of drug arrests there."

86. Pg. 1043 United States of America v. A Parcel of Land, Buildings, Appurtenances, and Improvements, Known as 92 Buena Visa Ave., Rumson, New Jersey, U. S. District Court 89-1411 June 1, 1990.

87. Pg. 1045. United States of America v. A Parcel of Land, Buildings, Appurtenances, and Improvements, Known as 92 Buena Visa Ave., Rumson, New Jersey, U. S. District Court 89-1411, U. S.

Court of Appeals Third Circuit, 90-5823. Decided June 17, 1991.Civil Forfeiture Case.

88. Pg. 1048. United States of America v. A Parcel of Land, Buildings, Appurtenances, and Improvements, Known as 92 Buena Visa Ave., Rumson, New Jersey, U. S. District Court 89-1411, U. S. Court of Appeals Third Circuit, 90-5823. United States Supreme Court, 507 U.S. 111, 122 L.Ed 2d 469, 113 S. Ct. 1126, Argued Oct. 13, 1992. Civil Forfeiture Case.

89. Pg. 1052. 44 Rutgers Law Rev. 205 (1991) Primitive Justice: Private Prosecutions in Municipal Court under New Jersey Rule 7:4-4(b). by Judson Hand.

90. Pg. 1055. Vargas v. Calabrese, 714 F. Supp. 714 (D.N.J. 1989). Election law violations. Mayor Gerald McCann.

91. Pg. 1057. The Record, March 11, 2000 Article. Sheriff's brother, 7 others indicted. Accused of looting dead man's home.

92. Pg. 1059. The Record. March 14, 2000 Article. 4 suspended in Cliffside Park Scandal; Theft-arson conspiracy case rocks town.

93. Pg. 1061. Sheriff's Sales, Bergen County, By Sheriff Jack Terhune, 8/22/97-10/06/98. By Sheriff Jay Alpert, 3/19/98 to 3/29/99. By Sheriff Joseph L. Ciccone, 2/2/99-12/30/99.

94. Pg. 1078. Certification by Salvatore Moretti filed in N. J. Supreme Court, 391-395 Park Equities v. Moretti, Hackensack Water Co., Mayor John Zisa, State of N. J., Louis J. Dinice, and Henry J. Amoroso., Bergen County Chancery Div. No. F-7502-98, Supreme Court no. 48,551.

95. Pg. 1083. The Record, April 13, 1978. Article entitled City, police, neighbors back mental center. Concerns psychiatric half-way house used of 387 Park St., Hackensack, adjacent to 391 Park St., Hackensack apartment house containing twenty units.

96. Pg. 1084. The Record, April 18, 1978. Article entitled A sad, familiar story. Concerns psychiatric half-way house used of 387 Park St., Hackensack, adjacent to 391 Park St., Hackensack apartment house containing twenty units

97. Pg. 1085. In the Matter of Robert A. Hollis, an Attorney at Law, decided Feb. 3, 1984 by the N. J. Supreme Court. Suspension of Hollis due to complaint filed when Moretti's case relating to the psychiatric halfway house at 387 Park St., Hackensack was dismissed due to lack of service of the summons and complaint, and due to other

legal issues set forth in the decision.

98. Pg. 1095. In the Matter of Robert A. Hollis, an Attorney at law, decided Oct. 12, 1993. 134 N.J. 124, 631 A.2d 545. Supreme Court of N. J.

99. Pg. 1092. Brief filed by Richard Salkin on behalf of City of Hackensack on June 2, 1999 in the case of Moretti v. United Water Resources, Inc., City of Hackensack, and State of New Jersey, Law Division no. BER-L-5678-98, Appellate Division No. A-001901-98T2.

100. 10 Rutgers L. Rev. 647. The Municipal Court - The Most Important Court in New Jersey. By Chief Justice Arthur T. Vanderbilt. Summer, 1956.

101. Pg. 1097. Report of the N. J. Judicial Conference, June 28, 1985. Supreme Court Task Force on the Improvement of Municipal Court, N. J. Document KFN 2390.N482, 1985.

102. Pg. 1097. Politics and Criminal Prosecution. By Raymond Moley.

103. Pg. 1102. Moretti to Clerk - Foreclosure unit, Superior Court, Trenton, May 6, 1999. In re 391-395 Park Equities v. Salvatore Moretti et al.

104. Pg. 1104. United Water v. Moretti. L-4114-98. Complaint filed April 30, 1998 by John P. Wallace on behalf of United Water Resources, a.k.a. Hackensack Water Co.

105. Pg. 1107. The Record. Aug. 19, 1999. Suez Lyonnaise Cools United Water Stock Surge.

106. Pg. 1108. The Record. Aug. 24, 1999. French Buyer Taking over United Water.

107. Pg. 1110. The Record. July 20, 1999. Top lawyer filed suit over Sewage in Basement.

108. Pg. 1111. The Record. Aug. 19, 1999. Take jail from Sheriff, Consultant Says: Freeholders get Report on Police Efficiency.

109. Pg. 1113. The Record. June 22, 1999. Municipal Prosecutor Flap Escalates. Court asked to stay curbs on private work.

110. Pg. 1115. Tiger in the Court, by Paul Hoffman. Playboy Press, published 1973. List of Federal, State, and Local Public Officials and Political Leaders Indicted or Prosecuted by Federal Authorities in New Jersey.

111. Pg. 1117. Moretti to American Transfer Moving System, April 19, 1999.

112. Pg. 1118. Excerpts from Brief by Moretti with respect to Hackensack Municipal Case presented to Judge Louis J. Dinice, from Sept. 2, 1992 to Dec. 3, 1992.

113. Pg. 1124. Motion for Reconsideration - Certification by Moretti, Nov. 30, 1999, F-7502-98, Supreme Court No. 48,551.

114. Pg 1127. N.J. v. Robert F. Clark, 735 A2d. 1, (N. J. Appellate Div. 1999)

115. Pg. 1129. N. J. v. Clark, Decided Jan. 19, 2000, 2000 WL 36909

116. Pg. 1130. United States of America v. 141st Street Corporation, by Mark Hersh, Managing Agent of the defendant in Rem, Appellant, 89-6268, U. S. Ct. of Appeals, Second Circuit.

117. Pg. 1143. Oct. 1, 1990. Moretti to Lawrence Manning, Building Inspector. In re 387 Park St., Hackensack, Bl. 418, Lot 24. Application to Construct Building. Architect - Rodriguez.

118. Manning to Moretti, Oct. 31, 1990. Proposed three story retail/office building.

119. Pg. 1147. SR-1A Form filed in the Bergen County Tax Board with respect to the sale from Dr. Cocoziello c/o Associated Buildings, 260 South Summit Ave., Hackensack, of the 72 unit apartment house at 370 Park St., Hackensack. Sale to Frank G. Alster, 377 Park St., Hackensack, N.J. Building was assessed for $3,108,000 but sold to Alster for no consideration, due apparently to the difficulties of operating the building. Note the reported decision of the arrest of Jones in the building for narcotics violations.

120. Pg. 1148. Order to Show Cause allowing Bernard Fayehun to resume occupancy of 390 Park Street, Hackensack, (despite failure to pay rent - due apparently to attacks by Osuji)signed by Judge Ellen Koblitz Nov. 12, 1993, Bernard Fayehun v. Salvatore Moretti, LT-9533-93, despite the fact that Judge Koblitz is the presiding Judge of Special Civil Part, and the single family house is exempted from jurisdiction of the Special Civil Court under the N. J. eviction statute.

121. Pg. 1150. Tax Assessor's Notice to Salvatore Moretti with respect to the assessment of the boarded up apartment house at 391-

395 Park St., Hackensack, Block 418, Lot 22 and 23. Total assessment equal to $380,800.

121. Pg. 1151. Information Subpoena, Moretti v. Dinice and Sullivan, seeks $8,496.09 due to filing of lawsuit with respect to constitutional violations by the defendant judges.

122. Pg. 1152. Proposal to purchase property. Sept. 28, 1989. Purchaser - Dr. Alex Cocoziello. Purchase Price - $975,000. Property - 391-395 Park St., Hackensack.

123. Pg. 1154. Clerk of the Supreme Court, Mark Neary to Moretti, Feb. 17, 2000, in re 391-395 Park Equities v. Moretti et al, Stated that papers dated Feb. 11, 2000 were not filed. "Please be advised that the submission of any additional papers to this Court seeking relief in respect of this property may subject you to sanctions."

124. Pg. 1155 Administrative Office of the Court to Moretti, March 23, 2000

125. Pg. 1156. Supreme Court of N. J. Mark Neary to Moretti Feb. 17, 2000 in re 391-395 Park Equities v. Moretti et al, Stated that papers dated Feb. 11, 2000 were not filed. "Please be advised that the submission of any additional papers to this Court seeking relief in respect of this property may subject you to sanctions."

126. Pg. 1157. John Wallace to Moretti, March 17, 2000. Motion for Summary Judgment. United Water v. Moretti, BER-L-4114-98.

127. Pg. 1162. Brief filed by Attorney General of N. J. seeking dismissal of Moretti v. United Water Resources, City of Hackensack, and State of N.J., Supreme Court Docket No. 49,242, dated March 2, 2000.

128. Pg. 1174. Resume of Salvatore Moretti

129. Pg. 1175. Photo of Moretti's Renault after ax attack at Park Court Apartments.

130. P. 1183. Oct. 3, 1992 Article on Susan Stedtler's Cocaine Arrest at Newman street apartments.

131. P. 1184. Jan. 31, 1992 Michael Mordaga arrested Eric Winfield in 395-D Park Street apartment of Susan Stedtler for Cocaine possession.

132. P. 1184a. Leo R. Jones and Lonzie Collier Jr. and Dwight Medley Indictment for Heroin Possession, Indictment S-603-90, Apt. 112, 370 Park St. [Park Plaza, now called Cadillac Manor] Hackensack on Oct. 17,1989 by Michael Mordaga.

133. P. 1188. Break-In by Hackensack P. O. Morrissey into Apt 395-B on June 14, 1992. Apartment of Edwina Alexis, and Hearing before Judge Isabel Stark.

134. P. 1193-1197. Photo Exhibit. Pager 1197 shows House at 111 Passaic Street after fire destroyed the house on March 10, 1978.

135. P. 1198. Dr. Cocoziello to LJL Realty. 421 A Hudson Street, Hackensack.

136. P. 1199. Dr. Cocoziello to Francisco Apartments.

137. P. 1200. Dr. Cocoziello to Frank G. Alster, 377 Park Street Hackensack, N.J. Sale of Park Plaza, 72 units, after arrest on the site of Leo Jones et al. [Index no. 6 herein].

138. P. 1201-1206. Letter by Moretti to City Manager Squillace, dated July 26, 1977. Complaining of disturbances at 111 Passaic St., a boarding house, which Hollis was informed of.

139. P. 1207. Hackensack Health Officer Complaint as to water, May 14, 1992.

140. P,. 1208. Hackensack Complaint file in municipal court by Moretti against Killian N. Osuji, dated June 28, 1993.

141. P. 1214. Water shut off notice posted by United Water on doors at Park Court Apts., 391-395 Park St., Hackensack, twenty unit apartments owned by Moretti.

142. P. 1215-1235. Moretti v. Hollis Deposition.

143. P. 1236-1242. Supreme Court District Ethics Committee on Hollis - (a.k.a. -Holopigian) - Suspension of law License. April 3, 1980.

144. P. 1243-1248. Prosecutor Bissell and Forfeiture, Dec. 23, 1996. N. J. Law Journal.

145. P. 1249. State v. Florez, 1991 Case. Deals with Cocaine and informant's name being withheld.

146. P. 1250. State v. Grubb. [1999 Case] Deals with C.D.S. arrest of P.O. for possession in Middlesex County

147. P. 1252. Moretti v. United Water, State of New Jersey, City of Hackensack. Brief Ber-L-5678-97. Procedural History at 1260; Statement of Facts at 1261.

148. P. 1270. Dismissal of Ber-L-5678-97 by Judge Isabel Stark. Richard Salkin, Esq. Drafted order October 13, 1998.

149. P. 1292. July 19, 1997 11 a.m. complaint filed with Hackensack Police Department. Thefts of air conditioners and break-ins at 391

Park St, Hackensack.

150. P. 1294-1300. Sheriff Jack Terhune, Sheriff's Sales in Bergen, 8/22/97 to 9/17/98.

151. P. 1301. United States District Court, Newark. John W. Bissell. Order of Dismissal of case - Moretti v. United Water of New Jersey, City of Hackensack, and State of New Jersey

152. P. 1304. United States Bankruptcy Court, Newark. Novalyn L. Winfield, Order of Dismissal of Bankruptcy Petition filed by Moretti, In re Salvatore Moretti.

153. P. 1312. Transcript of Proceedings before Judge Lawrence Smith. DJ-11274-05, Moretti v. Hackensack Water Co. Judgment received in favor of water co. Judge Koblitz's judgment of $6,655.11. P. 1327 - April 2. P. 1356 - April 4. P.M.O.'s of $2,000 delivered to water co. - P. 1376.

154. P. 1379. Letter Brief to Judge Stark, Arson for Profit etc., Ber-L-5678-97. 2/20/98. P. 1379. 2/10/98 - P. 1388. 7/3/97 - P. 1391. 7/4/97 - P. 1404.

155. P. 1448. April 2, 1997 Unsafe Structure Notice placed at 391-5 Park St., Hackensack.

156. P. 1451. Order Drafted by Moretti requiring United Water to receive in court payment of $6,694.11 pursuant to Judge Koblitz's decision. DJ-111274-95. Order denied by Judge Lawrence Smith dated 4/1/97.

157. P. 1453. Record article - Apartments Condemned. Dated April 5, 1997.

158. P. 1454-1532. Photo Exhibit and Index

159. P. 1533. Osuji Police Report w.r.t. Barnard Fayehun, dated 6/19/93.

160. P. 1535-1536. Bank loans rejected by Fleet Bank and Chase.

161. P. 1537. James LaCava, City Manager. Notice of Park Street sweep of 20 properties, May 1, 1997.

162. P. 1538. Comparable Water uses in apartment houses, provided to Judge Dinice in Hackensack Municipal Court.

163. P. 1538-1539. Resolution 260, dated August 17,1992, by City of Hackensack with regard to water account at Park Court Apartments.

164. P. 1544. Office of Administrative Law Decision, P.U.C. 07022-95, dated Nov. 20, 1996. Jeffrey A. Gerson, A.L.J.

165. P. 1547-1549. Fire Notice by Carucci, dated April 3, 1997.

166. P. 1554-1560. Interrogatories served on John Wallace for O.A.L. hearing. Vague answers by Wallace which were uncertified shown at p. 1561.

167. P. 1562. Brief by Salkin to Dismiss Case, Moretti v. United Water, et al. BER-L-5678-97.

168. P. 1567-1577. Patrick DeAlmeida brief to dismiss BER-L-5678-97 10/20/98.

169. P. 1578-1610. Appraisal Report on behalf of City of Hackensack on Apartment Building at 391-5 Park St., Hackensack by Mason - Donald Helmstetter, dated October 6, 1981.

170. P. 1611-1620. Response by Moretti to Hackensack Appraisal for Tax Purposes.

171. P. 1621-1629. Melvin Gittleman's Brief, A-3525-82T2, Moretti v. City of Hackensack. Tax Court Appeal. Signed by Steven Muhlstock, Esq.

172. P. 1630-1638. Jan. 13, 1995 Brief filed by Moretti with Judge Peter Pizzuto, J.T.C., Motion to Dismiss - case docket no. 8336-93. Block 418, lots 22, 23, and 24.

173. P. 1639-1672. Transcript of Tax Court Motion, Docket No. 9475-95. Proceeding on June 10, 1996.

174. P. 1673. Complaint drafted by Edward Evans, Esq., ROR v. Gutterman, Musicant, & Kreitzman, Inc., C-545-79.

175. P. 1677. ROR v. Jademar Industrial, Appellate Division Decision, A-3609-78 [April 28, 1980. Reversed trial court dismissal.]

176. P. 1681. Bergen County Tax Board hearing. Transcript before Judge Salvatore M.Banca, Oct. 17, 1980, Stephen Moses appearing for Hackensack.

177. P. 1692. Bergen County Tax Board Hearing. Oct. 17, 1980. Hyman Chait house at 111 Passaic St., Hackensack burned down March 10, 1978, Chait wants tax reduction.

178. P. 1698-1743. Transcript of Chancery Court Proceeding. Moretti v. Multi-Pak, Ror v. Friendship House, ROR v. Gutterman-Musicant-Kreitzman.

179. P. 1744. Order by Third Circuit Court of Appeal. Affirming U.S. District Judge Harold A. Ackerman Decision. Feb. 10, 1994. U. S. District Court no. 92-4206 (HAA); 93-5416.

180. P. 1745. Judge Ackerman's Order of Dismissal 92-4206 (HAA) May 6, 1993.

181. P. 1747-1757. Appellate Division - Summary Judgment, Moreti v. Hackensack Water Co, June 21, 1'994, Koblitz's decision, $6,655.11

182. P. 1759. Appellate Division, A-3525-82T3, Order Filed Feb. 9, 1984. Tax Appeal from Judge Ever's Decision. P. 1762-1763.

183. P. 1765. Order filed w.r.t. Friendship House, March 30, 1981, (s) James J. Petrella, Order submitted by Losche and Losche

184. P. 1766. Order filed w.r.t. Multi-Pak Corp., Sept. 24, 1980. Order submitted by Stephen J. Moses, Esq.

185. Order filed w.r.t. Mutli-Pak Corp., March 27, 1981, Order submitted by Kimmelman, Wolff, & Samson, Esqs., (s) James J. Peterlla

186. P. Order submitted by Greenstone & Sokol, ROR v. Gutterman-Musicant-Kreitzman, and ROR v. Friendship House, C-545-79, March 27, 1981. Case Dismissed. (s) James Petrella.

187. P. 1772-1788. Oral decision by the Chancery Court of Bergen County. 1981 ROR v. Multi-Pak et al.

188. P. 1789-1791. Appellate Division review of the three cases, Friendship House, A-3801-80T1; Multi-Pak, A-3797-80T1; Gutterman-Musicant-Kreitzman, A-3806-80T1.

189. P. 1792. Order dated Aril 4, 1985. D.J. Fredericks sale of 387 Park St., Hackensack, former Friendship House half-way house.

190. P. 1794a. Gutterman-Musicant-Kreitzman's refusal to convey 387 Park Street to Moretti.

191. P. 1795. Hackensack block and lot maps.

192. P. 1797. 1991-1995 Hackensack Lawyer's Diary Listings of Hackensack officials.

193. P. 1800. Moretti v. Edwina Alexis and Hackensack Police and Fire Departments, Trial before Judge Isabel Stark, Appellate Division No. A-2934-92T2, Order affirming trial court dated November 15, 1993.

194. P. 1801. Payment Tally for water usage by the United Water Resources/Hackensack Water Co. w.r.t. Moretti apartment house account.

195. P. 1802. 1991 Real Estate Tax Bill in Hackensack

196. P. 1803. Letters from Moretti to Hackensack Water Cop., Aug.

1991, Oct. 20, 1991, Nov. 9, 1991, Jan. 16, 1992.

197. P. 1809. List of cases filed in order to operate Hackensack apartments, provided to Judge Pizzuto, N. J. Tax Court, Case No. 8336-93.

198. P. 1812. Notices w.r.t. Tenants of Park Court Apartments, 391-5 Park St., Hackensack. Beavers [1812]; Lisa Lee; Susan Stedtler; Prime Rentals; Milton Carter; Greg and Angela; Paula Price; Loretta Aquanetta.

199. P. 1821. Jan. 14, 2000. Moretti v. United Water, City of Hackensack, State of New Jersey, A-1901-98T2.

200. P. 1823. Feb. 24, 2000. Letter by Moretti to District Court and Third Circuit Court of Appeal w.r.t. Moretti v. Dinice case: 93-528 (JCL) - Judge Lifland. Law Firm of Zimmerer, Murray, Coyngham; representing Dinice.

201. P. 1826. Synopsis of State of New Jersey v. Kittrell case. Newman Street apts.

202. February 27, 2000 letter by Moretti to District Court and Third Circuit w.r.t. Moretti v. Dinice case.

203. P. 1835. Synopsis of New Jersey v. Leo R. Jones, Appellate Division 1994. Heroin arrest at 370 Park Street Hackensack, 72 unit building owned by Dr. Cocoziello.

204. P. 1839. New Jersey v. Leo R. Jones, Supreme Court reverses Appellate Division.

205. P. 1841. Forcing of Steel Doors

206. P. 1842. Osuji. Case.

207. P. 1844. Oct. 1, 1990.Moretti to Manning, Hackensack Building Inspector, Architectural Rendering with respect to proposed building to be constructed at 387 Park Street, Hackensack.

208. P. 1845. Manning to Moretti. Site plan by Marta Rodriguez does not comply with city zoning.

209. P. 1847. Manning to Moretti. Details of the deficiencies of the proposed structure compared to Hackensack zoning.

210. P. 1850. Proposal to Purchase 387-391-395 Park St., Hackensack Apts by Dr. Alex Cocoziello for $975,000 Sept. 28, 1989.

211. P. 1852. Written Opinion filed by Judge Harold A. Ackerman, U. S. District Court No. 92-4206 (HAA). Case of Salvatore Moretti v. Mayor John Zisa and the Hackensack City Council, et al.

212. P. 1885. Moretti v. Sate of N. J. et al., 93-5577 (JWB - Bissell), Brief filed on behalf of State of N. J. and Ellen Koblitz. Deborah Poritz, Attorney General. Jan 28, 1994. Filed by Patrick DeAlmeida

213. P. 1893. Moretti v. State of N.J. et al., 93-5577 (J.W. Bissell), Feb. 11, 1994 Brief filed on behalf of Henry Amoroso, Prosecutor of Hackensack.

214. P. 1899. Moretti v. State of N.J. et al., 93-5577 (JWB) Feb. 17, 1994. Brief filed on behalf of Bergen County Prosecutor John Fahy by Murshell Bland, County Counsel.

215. P. 1904. Per Curiam Opinion by Appellate Division of the Superior Court, Moretti v. Hackensack Water Co., A-5696-92T3. Filing Date Appellate Division, June 21, 1994.

216. P. 1915. Per Curiam Opinion by Appellate Division of the Superior Court, Moretti v. City of Hackensack, A Municipal Corporation of the State of New Jersey, A-3525-82T3, Filing Date Appellate Division Feb. 9, 1984.

217. P. 1918. Complaint with Jury Demand, **Salvatore Moretti v. Mayor John Zisa and the Hackensack City Council; George Diana and the Hackensack Board of Adjustment; Patricia Farlie and the Hackensack Health Department; Richard Carucci and the Hackensack Fire Department; C. Morrissey and the Hackensack Police Department; Henry Amoroso - Hackensack Prosecutor; Hackensack Water Co.; G. Thomas Gentile; and Gutterman-Musicant, Inc**. Case No. 92-4206 (HAA) Filed October 6, 1992). Civil Rights Complaint.

218. P. 1968. Civil Docket For Case # 92-CV-4206, U. S. District Court, District of Newark, Moretti v. John Zisa et al.; Judge Harold A. Ackerman; Demand $164,000; Jury Demand: Both; Nature of Suit: 440; Jurisdiction, Federal Question.

219. P. 1974. Service List for the U. S. Court of Appeals for the Third Circuit, No. 93-5416, Appeal from N. J. District Court Civil No. 94-04206

220. P. 197. Complaint with Civil Cover Sheet, United States District Court, Salvatore Moretti v. Louis J. Dinice and Timothy J. Sullivan, Civil Rights Complaint filed Feb. 1, 1993 in Newark, Federal District Court.

221. P. 2060. Complaint with Civil Cover Sheet, United States District Court, Case No. 93-5577, Salvatore J. Moretti v. State of

New Jersey, Ellen Koblitz and the Public Defenders Office of Bergen County, Bergen County Prosecutor John Fahy, Hackensack City Prosecutor Henry Amoroso, Filed Dec. 16, 1993.

222. P. 2104. Opinion, Case of **Salvatore J. Moretti v. State of New Jersey, Ellen Koblitz and the Public Defenders Office of Bergen County, Bergen County Prosecutor John Fahy, Hackensack City Prosecutor Henry Amoroso,** March 7, 1994.

223. P. 2128. Order Dismissing for failure to state a cause of action against Amoroso and Fahy, **Moretti v. State of New Jersey, Koblitz, Fahy, Amoroso, et al**. District Court No. 94-6347, by Judge John W. Bissell, June 12, 1995.

224. P. 2129. Dec. 14, 1992 Letter - Moretti to Al Moore, Ombudsman, Bergen County Jail Annex, 160 South River Street, Hackensack, N. J. 07601, re Visit to Stedtler at Jail Annex on Dec. 12, 1992 and rejection of visit by then Capt. Duffy and Lt. Cappole cc.: to Sheriff Terhune and Bergen County Prosecutor Fahy.

225. P. 2130. Certification in re State of N.J. v. Stedtler, Indictment No. S1642-92, Certification by Bail Sponsor Salvatore Moretti, dated Dec. 10, 1992 by Salvatore Moretti

226. P. 2140. Moretti to Hon. John C. Lifland, United States District Court, U. S. Courthouse and Post Office Building, Newark, N. J. 07102, in re **Moretti v. Louis J. Dinice, and Timothy J. Sullivan,** 93-cv-528 (JCL) dated Aug. 24, 1993.

227. P. 2144. Moretti to Hon. Peter Pizzuto, J.T.C., 125 State St., Room 108, Hackensack, N., J. 07601, in re **Moretti v. City of Hackensack,** Docket No. 833693, Block 418, Lots 22, 23, 24. Dated Nov. 4, 1994.cc.: Donald J. Lenner, Esq. and Municipal Tax Assessor.

228. P. 2145. Preliminary Income Approach to Value; Real Property Appraisal of Parcel One (Block 418, Lot 22 & 23) and Parcel Two (Block 418, Lot 24) as of Oct. 1992 submitted by Property Owner Salvatore Moretti. Date of Report - Nov. 5, 1994.

229. P. 2153. Salvatore Moretti to Donald J. Lenner, Esq. 286 Union Street, Hackensack, N. J. 07601, in re Refusal to Answer Interrogatories, Case No. N. J. Tax Court 833693. Certified Mail No. P887 136 714.

230. P. 2155. Certification by Salvatore Moretti in Support of Order Compelling Production of Documents by the Taxing Authority, Etc.,

Tax Court of N. J. No. 8336-93. Date: Nov. 14, 1994.

231. P. 2162. Salvatore Moretti to Donald Lenner, Esq. 286 Union St., Hackensack, N. J. Certified Answers to Interrogatories, in re Expenses at Apartment House 391 Park St., Hackensack, Bl. 418, Lots 22 & 23. N. J. Tax Court No. 8336-93. Date: December, 1994.

232. P. 2170. Dec. 31, 1994. Salvatore Moretti to Hon. Peter D. Pizzuto, J.T.C., 125 State St., Room 108, Hackensack, N.J. 07601, (& to Donald J. Lenner, Esq. attorney representing taxing district, City of Hackensack), Motion return date January 6, 1995. Continuance of motion to impose restraints on collection of taxes on Bl. 418, Lots 22 & 23 by City of Hackensack. Oral Argument Requested.

233. P. 2176. Feb. 2, 1995. Salvatore Moretti to Hon. Peter D. Pizzuto, Judge N. J. Tax Court, 125 State St., Rm 108, Hackensack, N. J. 07601, Motion including with above demand request that all properties owned by petitioner on Park street be joined including the two apartment buildings, the vacant lot, and the house at 387 Park St., Hackensack, N.J. Feb. 2, 1995.

234. P. 2181. Feb. 7, 1995. Emergent Appeal to Appellate Division, Salvatore Moretti to Hon. Ariel Rodriguez, Judge Appellate Division, Brennan Courthouse, 583 Newark Ave., Jersey City, N. J. 07306, in re Appellate Division Appeal from determination by the N. J. Tax Court, No. 8336-93, which states: "The tenants therein are all in danger of being evicted, in that over twenty five evictions have occurred due to high rents reflecting a half-million dollar increase in the assessment of plaintiff's real property." Cc.: to Donald J. Lenner, Esq.

235. P. 21 2183. Feb. 11, 1995. Salvatore Moretti to Margaret M. Richardson, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224. In re Unconstitutional Assessment of real property, in view of Internal Revenue Letter Ruling 8639049 - June 30, 1986.

236. P. 2185. Feb. 14, 1995. Salvatore Moretti to Hon. Harold A. Ackerman, U. S. District Court, Martin L. King, Jr. Federal Bldg., Newark, N. J. 07102, in re **Moretti v. City of Hackensack** District Court Case No. 92-4206 (HAA) in view of prior decision by Judge Ackerman with respect to availability of tax appeal to the State Tax Court. Cc. To Scott Topolski, Esq. (representing City of Hackensack taxing district before the Federal District Court) and Donald Lenner

Esq. (representing City of Hackensack taxing district before the State Tax Court).

237. P. 2188. Sept. 14, 1995 Letter by Salvatore Moretti to Bergen County Tax Board, Court Plaza South, 21 Main St., Hackensack, N. J. 07601, and to Arthur Carlson, Hackensack Tax Assessor, City Hall, Hackensack, N. J. 07601, in re Moretti v. City of Hackensack, Tax Court No. 8336-93, Appellate Division No. A-4913-94T2. Letter concerns County Tax Board Appeal #23-9500109 (Bl. 418, Lots 22 & 23), App. #23-9500110, (Bl 415, Lot 8.b); and App. #23-9500111 (Bl 418, Lot 24). Letter states that receipt of property record card on Sept. 10, 1995 showed that 387 Park Street, Hackensack is listed on the property record card as a two family, when the house is a one family, since there is only one kitchen

238. P. 2196. Jan. 19, 1996. Salvatore Moretti to Tax Court of New Jersey, Docket No. 9479-95, Moretti v. City of Hackensack, Certification in support of motion for temporary restraints on taxing district, Bl. 418, lots 22, 23, & 24, and Block 415, Lot 8b., cc. To Donald J. Lenner, 286 Union St., Hackensack, N. J. 07601

239. P. 2200. Feb. 27, 1996. Salvatore Moretti to Tax Court of New Jersey, Docket No. 9479-95, Moretti v. City of Hackensack, Certification in support of motion for temporary restraints on taxing district, Bl. 418, lots 22, 23, & 24, and Block 415, Lot 8b., cc. To Donald J. Lenner, 286 Union St., Hackensack, N. J. 07601

240. P. 2203. Nov. 8, 1997. Salvatore Moretti to Julie Ferenczi, Hackensack Department of Community Affairs, Hackensack City Hall, 65 Central Ave., Hackensack, N. J. 07601, and to the City Clerk of Hackensack, letter in response to a complaint filed by Julie Ferenczi - abandonment of structures at 391-395 Park St., Hackensack, N. J. Enclosed with letter to Ferenczi is the second amended Federal Complaint, U. S. District Court No. 97-1742.

241. P. 2204. Nov. 9, 1997. 07601

242. P. 2203. Nov. 8, 1997. Salvatore Moretti to Julie Ferenczi, Hackensack Department of Community Affairs, Hackensack City Hall, 65 Central Ave., Hackensack, N. J. 07601, and to the City Clerk of Hackensack, letter in response to a complaint filed by Julie Ferenczi - abandonment of structures at 391-395 Park St., Hackensack, N. J. Enclosed with letter to Ferenczi is the Oct. 28, 1997 mailing to the U. S. Court of Appeals for the Third Circuit Letter states that "the four

hundred page [405 page] long motion is sufficiently complete for you to evaluate why I believe the inspections conducted by the state/city of Hackensack failed to identify the nature of the problem as clearly set forth in this party's moving papers.

243. P. 2205. Jan. 30, 1998. Salvatore Moretti to Joel Harris, Health Dept., 215 Second St., Hackensack, N. J. in re parking at 387-391-395 Park St., Hackensack of brown 2-door Ford, Black 2-door Datsun, Silver 4 door Buick Skylark, black 4-door Chevrolet, and blue 4-door Buick Century.

244. P. 2207. March 25, 1998. Salvatore Moretti to Eugene Duffy, Department of Community Affairs, Hackensack City Hall, 65 Central Ave., Hackensack, N. J. 07601 in re testimony of Julie Ferenczi before the Elmwood Park Municipal Court on March 25, 1998, in which she stated she attended high school in Hungary, graduating in 1965, and her only training was as a barber; she came to this county and was hired as a building inspector by the City of Hackensack in 1991. Moretti was fined as a result of the testimony, and imprisoned by the Elmwood Park Judge, Anthony D. Cippolone. Judge Cippolone is listed the N. J. Lawyers Manual as the Hackensack Planning Board Attorney, thereby proving that he was in a conflict position and should not have been assigned to hear the case after the Hackensack municipal judge recused himself due to his conflict of interest since he was currently in litigation against Salvatore Moretti.

245. P. 2209. March 25, 1998. Salvatore Moretti to Advisory Committee on Judicial Conduct, Administrative Office of the Courts, Hughes Justice Complex, 25 West Market St., Trenton, N. J. 08625, in re Elmwood Park Municipal Judge Anthony D. Cippolone - conduct of trial on March 24, 1998 despite conflict since Cippolone was also the Hackensack planning board attorney and the matter before him involved planning ih Hackensack.

246. P. 2210. April 21, 1998. Salvatore Moretti to Anthony D. Cippolone, Elmwood Park Municipal Curt, Municipal Building, 180 Market St., Elmwood Park, N. J. 07407, in re Conflict of Interest as lawyer for the Hackensack Planning Board and Judge in the case involving Salvatore Moretti and property at 391 Park St., Hackensack.

247. P. 2212. Sept. 3, 1997. Salvatore Moretti to Clerk, U. S. Court of Appeals for the Federal Circuit, 717 Madison Place, N.W., Washington, D. C. 20439. In re Salvatore Moretti v. United States of

America, U. S. Court of Appeals for the Federal Circuit, Docket No 97-249T, Motion to Restore Utilities at Petitioner's Real Property at 391 Park St., Hackensack, N., J. and Motion to prevent Sheriff's Sales. Cc. Justice Department, United States, Washington, D. C.

248. P. 2271. April 13, 2000. Salvatore Moretti to Administrative Office of the Courts, Hughes Complex, Trenton, N. J., and to Bergen County Prosecutor's Office, Bergen County Justice Center, 10 Main St., Hackensack, and to Sheriff's Office, Bergen County Justice Center, 10 Main St., Hackensack, in re United Water New Jersey v. Salvatore Moretti Ber-L-4114-98, Motion for Summary Judgment - Returnable Apr 14, 2000; related case **391-395 Park Equities v. Salvatore Moretti, Hackensack Water Co., Mayor John Zisa, Louis J. Dinice, and Henry Amoroso**, F-7502-98.

249. P. 2274. List of Contributors to the Elections of the Hackensack City Council, and the Assembly for the 37t^{h} District. At 2274 is shown the R-1 Contributions Report for the 1997 Hackensack Municipal Council Election, at which John "Jack" Zisa, Mark Stein, Roger Mattei, Donald Trammell, and Jesus Galvis, ran unopposed for the city council. At page 2277 is shown Form R-1 filed Dec. 7, 1995 with the N. J. Election Law and Enforcement Commission, Report of Contributions and Expenditures, on behalf of Charles "Ken" Zisa, who was elected to the New Jersey Assembly for a Two year Term representing the 37th District. At page 2286 is shown the report of Jay Alpert, Hackensack police officer, who ran for Sheriff and lost to Ciccone. At p. 2288 is shown the report for the Fund for Loretta Weinberg - Charles "Ken" Zisa, the report certified accurate on October 1, 1998 by the campaign treasurer.

250. P. 2290. Julie Ferenczi, City of Hackensack, Dept. of Community Affairs, Division of property Maintenance Inspection, Hackensack City Hall, 65 Central Ave., Hackensack, N. J. 07601, to Salvatore Moretti, P. O. Box 1306, Canal Street Station, New York, N. Y. 10013-0876. Re: 391-395 Park Street Vacant/Boarded Up Multiple Dwelling. City Ord. No. 1-96. Chapter 3. Section PM-301.0 & PM-302.0 Paragraph PM-301.3 Public Nuisance #7. States NOTHING has been done to abate violations cited in our notice of March 30, 2000.

251. P. 2291. Julie Ferenczi, Senior Housing Inspector for City of Hackensack, Notice by Regular Mail and Certified mail. Dated

March 30, 2000. Provide cleanup of property at 391-395 Park St., Hackensack, N.J.

252. P. 2292. Record, April 12, 2000. Asset forfeiture rules being tightened.

253. P. 2293. New York Times: June 25, 1999. H.R. 1658 Passed by House of Representatives in Washington.

254. P. 2295. Bill Summary and Status for the 106th Congress. H. R. 1658 became Public Law No. 106-185 signed by President Clinton April 25, 2000.

255. P. 2297. Civil Asset Forfeiture Reform Act of 2000.

256. Report to the House of Representatives on the Civil Asset Forfeiture Reform Act, June 18, 1999.

257. P. 2374. American Civil Liberties Union. Abuses of the Civil Asset Forfeiture Reform Act.

258. P. 2383. April 27, 2000. Salvatore Moretti to Supreme Court of New Jersey. Brief. Docket No. 49,242.

259. P. 2389. Index to Documents 1-214, Pages 1a to 1899 of the Supplemental Materials.

260. P. 2400. Nov. 3, 1995 Record Article. Editorial. Weinberg Endorsement: No Endorsement for Charles "Ken" Zisa, Hackensack Police Chief, due to an ordinance prohibiting Hackensack police officers from running for political office. The Record states "the problem is a Hackensack city ordinance, which states that, "Members of the Department of Police are positively prohibited from active participation in politics..."

261. P. 2409. April 27, 2000 Letter-Brief to the New Jersey Supreme Court, Salvatore Moretti v. United Water Resources, Inc., City of Hackensack, and State of New Jersey, Docket No. 49,242.

262. P. 2414-2444. Selection of R-1 Contribution Reports. Source is the N. J. Election law Enforcement Commission. The Reports are certified by the Campaign Treasurers and were supplied during the Hackensack city council election of 1997(involving John "Jack" Zisa, and the District 37th Elections (involving Charles "Ken" Zisa, from 1995 to 1999.

263. P. 2445-2449. May 25, 2000 Letter to Bergen County Prosecutor's Office, Sheriff's Office, Superior Court (BER-L-4114-98, United Water v. Moretti), & Hackensack Municipal Court - Louis Dinice). Containing Index to Documents 1- 261, pp. 1a-2444,

Deed T Performance to Reynolds, at p. 2465, with Chase Mortgage as Mortgagee, Hackensack Code Section 32-34 - 8 Political actions and Hackensack police at 2477, Election contribution reports at 2478-2505, Cubby's & Egan v. City of Hackensack Document List at 2506-2511, News Items from 2511-2519, N.J.A.C. 4A:10-1.2 Political Activity of Civil Service Employees at 2520, Conflict of Office Holders with more than one office, 2523-2584.

264. P. 2585-3141. June 2, 2000 Letter to Bergen Cty. Prosecutor's Office, Sheriff's Office, Superior Court, & Hon. C. Eugene Godlesky, South Hackensack Municipal Court transferred from Hackensack Municipal Court of Ferenczi and Fire Report Complaints on 391 Park St., Hackensack. P. 2589. May 31, 2000 Record Article on Promotion of Frank Zisa Jr. from Bureau of Criminal Identification to Deputy Police Chief. Police Chief is Ken Zisa. Mayor is John Zisa. P. 2590 6/1/2000 LaCava & Criticism of Promotion. Political Contribution Reports at 2591-2628. P. 2629 - 12/1/78 Notice by Salvatore Moretti as to Dept. of Transportation hearings Aug. 3, 1978 P. 2630-2655 - 12/18/78 Park Street Block Association Newsletter. P. 2641-2648 Hackensack Apartment Owners Newsletters, May 16, 1979, etc. P. 2656-3141 - Transcript of Proceedings Chancery Court of Bergen County, C-2541-78, Moretti & ROR v. Multi-Pak, C-4640-78, ROR v. Friendship House, C-545-78, ROR v. Gutterman, Musicant & Kreitzman Funeral Parlor, James J. Petrella Presiding.

265. June 3, 2000. P. 3142-3277 Letter to Bergen County Prosecutor's Office, Bergen County Sheriff's Dept., Superior Court of New Jersey (BER-L-4114-98 United Water v. Moretti), & C. Eugene Godlesky, South Hackensack Municipal Court (SC 2000 001566). Julie Ferenczi notice dated May 26, 2000. Selections from the Hackensack Apartment Owners Newsletters 3145-3183 including campaign literature including Robert Holopigian (Hollis), etc. P. 3184 Complaint Moretti v. Multi-Pak dated January 10, 1980 filed with Hackensack Municipal Court, P. 3192-3198 Photos of Multi-Pak marked before N. J. Tax Court, Judge Evers, P. 3198-3221. Hackensack municipal trial before judge Joseph Zisa State v. Gutterman-Musicant-Kreitzman and Multi-Pak, Feb. 13, 1980. P. 3222 U. S. Dept. of Labor O.S.H.A. report dated Nov. 14, 1978 w.r.t. Multi-Pak. Deposition of James O'Rourke, Sept. 30, 1980 Chancery C-2541-79.

266. June 6, 2000 P. 3278-3295 Letter to Bergen County Prosecutor's Office, Sheriff's Office, & Superior Court containing Contracts for Sale of Real Estate H & L Managment & Four R Investments.

267. P. 3296-3674 June 15, 2000 Letter to Bergen County Prosecutor's Office, Bergen County Sheriff's Office, & Superior Court of N. J., and Hon. Irving Aronin, Supreme Court of New York, Moretti v. Citibank, 2727-96 Robbery of Tenant's Rents at Citibank Aug. 8, 1994. P. 3299 Fire Code Violations. P. 3300-3432. Appeal to Bergen County Board of Taxation, Aug. 14, 1981 391-395 Park St., Hackensack. P. 3433. Jan 23, 1979 Moretti to Oritani Savings & Loan Mortgage No. 5847 Expiration April 1, 1979. P. 3435-3437 Park Street Block Association & Homeowners' Newsletters, P. 3438 - Feb. 12, 1979 Letter to Roger Breslin Jr., Bergen County Prosecutor's Office w.r.t. Arson at 111 Passaic St., Hackensack, P. 3439-3442. Feb. 12, 1979, etc. Letter to Hollis, and Court about Filing of Complaints in Superior Court, Multi-Pak, etc., P. 3443-3447 D.O.T. Hearings, etc. P. 3448 March 6, 1979 Report to Police about Vandalism at Park Court Apartments, P. 3449 Loan Expiration Oritani to Moretti March 6, 1979, P. 3450 Moretti to Roncati w.r.t. Hollis. P. 3451 March 7, 1979, Hackensack Homeowners Newsletter, P. 3452 March 10, 1979 - Moretti to Roncati w.r.t. Hollis, P. 3456 Fireman to Moretti Labor Relations and the Fire Dept., P. 3457 Letter dated March 21, 1979 from Theodore Trautwein, Assignment Judge of Bergen County to Moretti, stating "I deeply resent the tone and quality of your demands set forth in your letter" and concluding "you are advised to discontinue writing and calling the court or its staff ex parte. P. 3459 March 27, 1979 Oritani Savings to Moretti w.r.t. Loan 5847. P. 3460 Aug. 16, 1977 Moretti to Squillace as to 111 Passaic Street and barking dog. Carlos Peay Esq. Interoffice communications as to 381 Park St. Variance - Jademar March 20, 1979, Deposition Moretti v. Hollis Case, L-48567-79, April 27, 1982, Edward Evans Esq. P. 3464-3674 including marked exhibits showing payment of $23,156.74 to Evans by Moretti for legal representation in the cases Hollis, former attorney for Moretti, failed to file and serve in the Superior Court of Bergen County.

268. P. 3675-4482. June 21, 2000 Letter to Bergen County Prosecutor's Office, Bergen County Sheriff's Office, & Superior Court of N. J., and Hon. Irving Aronin, Supreme Court of New York,

Moretti v. Citibank, 2727-96 Robbery of Tenant's Rents at Citibank Aug. 8, 1994. P. 3680, Moretti to Municipal Court of Hackensack, Judge Louis Dinice Presiding, November 9, 1989 Docket No. C89-2519. $300 Check for Transcript of Proceedings before the Court Complaints filed as to 391-395 Park Street Apartment house - Park court Apartments, P. 3680.1 Thmas G. Loman Esq. to Moretti Oct. 7, 1974 ROR Construction Corp. v. City of Hackensack, as to Hackensack Rent Control Ordinance 1046, etc., P. 3680.2 Oct. 21, 1974 Appearance at County Tax Board, Appeal No. 132, Loman's Brief ROR v. Hackensack, L-34139-73, P. 3681 Scafuro & Gianni, April 4, 1975, continuation of legal representation in lawsuit begun by Loman with regard to Hackensack rent control ordinances and hearings concerning Park Court Apts., Chronological Events occurring at Park Court, Jan. 31, 1973 - Feb. 21, 1976, P. 3696-3707, P. 3708 Moretti Realty Association Ltd. To Salvatore Moretti, Bk. 6723, page 658, Transfer of Ownership of Park Court Apts. From a limited partnership to sole proprietorship. Dec. 2, 1982. P. 3713 Schierloh & Schierloh & John Doyno Report dated March 27, 1975 Accountant's Report on Monthly Rent Required at Park Court Apts., P. 3716 Draft of Brief on Rent Ord. 1046, Superior Court Appellate Division Brief and Exhibits, A-1350-74, filed by Anthony J. Gianni, Esq. Exhibits at P. 3740-3754. P. 3755-3758. $2353.83 in legal bills for Gianni's Legal Representation. P. 3759-3781 North Jersey Friendship House 387 Park St., Appeal 78-77 to Hackensack Zoning Board, P. 3782-3783 - Hackensack Hospital Expansion June 11, 1979 plus Record Letter to the Editor, P. 3784-3939 Wellington Hall Nursing Home and the Zoning Board action expansion of Parking into park Street from Union Street, Zoning Bd. Hearing Oct. 15, 1980, Trial Briefs at P. 3905 L-18611-80 Prerogative Writ, Appeal to Superior Court, Court's Opinion at 3923. P. 3940 Brief and Appendix, Moretti and Moretti Realty Associates Ltd., v. Hollis et al., L-48567-79, sat Below Hon. Leo Yanoff dated Oct. 9, 1982, 125 pages of appended materials 3976-4099. P. 4100-4227. Transcript of Proceedings before the Trial Courts on motions in the case of Moretti v. Hollis et al., L-48567-79, P. 4228 Nov. 5, 1982 Motion for Leave to Appeal filed with Trautwein transferred from Assignment Office to Judge, Appellate Division, dated Nov. 5, 1982. Material on case, 4230-4235. Complaint filed in case 4236-4255, page 4255 showing $3,265.00 paid by

Moretti to Hollis for legal representation. Materials on the case, 4256-4262. P. 4263 Mental Health Consultation Center of Bergen County located at 390 Park Street, Hackensack, Diamond 2-5208, Oct. 18, 1958 Johnson Public Library Brochure. P. 4268 Friendship House. P. 4275 Sept. 29, 1958 L & C Holding to ROR Construction Corp. 391 Park St., Hackensack Bk. 3978 Page 463, P. 4277 Sept. 30, 1958 Zwart to ROR Construction Corp. Bk. 3978 Page 467 395 Park St., Hackensack. P. 4279 ROR to Moretti Realty Associates, Ltd. June 19, 1981 Transfer of 391-395 Park St., Hackensack from corporate ownership to limited partnership. Bk. 6638 Page 15.

269. P. 4284-4436 Reserved for future expansion.

270. P. 4437-4457. Robert Zimmerer, Esq. Brief Moretti v. Dinice & Sullivan, 93-528, U.S. District Court. P. 4446. Memorandum & Order, Moretti v. Dinice & Sullivan, 93-528 (JCL), Aug. 4, 1993. P. 4452. Memorandum & Order, Moretti v. Dinice & Sullivan, 93-528 (JCL), Sept. 13, 1993. Memorandum & Order, Moretti v. Dinice & Sullivan, 93-528 (JCL), Oct. 1, 1993. Sept. 30, 1993. P. 4465 - Court of Appeals Decision 93-5581, P. 4466. Supreme Court Decision June 2, 1994. P. 4468. Application for a Stay to Supreme Court, May 24, 1994, D.C. 93-528, C.A. 93-5581.

271. Page 4483. July 5, 2000 Notice to the Bergen County Prosecutor's Office, and to Hon. C. Eugene Godlesky (South Hackensack Municipal Court, after transfer from Hackensack Municipal Court by Hon. Roy F. McGeady, J.M.C. sitting for Louis Dinice, who recused himself), and to Sheriff of Bergen County, att.: Foreclosure Unit, and to Superior Court of N. J., att: Judge Guida, Motion for Summary Judgement, BER-L-4114-98. United Water of N. J. v. Moretti). After page 4485.5, four photos showing clean up at 391-395 Park St., Hackensack by Salvatore Moretti, depicting sidewalks and grass cut, P. 4486-4511, Transcript of Motion in case of Moretti v. Gutterman-Musicant, Inc. and D. J. Fredericks, Inc. Jan. 6, 1984, before Hon. Sherwin D. Lester, C-4913-83E, Appeal No. A-3159-83-T3 - Motion to Transfer 387 Park St., Hackensack from Gutterman-Musicant Funeral Parlor to Moretti pursuant to contract signed by Fredericks Realty Co., P. 4512-4541, transcript of Motion July 12, 1977, hearing before Hon. David B. Follender, City of Hackensack v. Sandra Ramos and Shelter our Sisters, L-34904-76, Motion holding that Ramos and S.O.S. violated municipal ordinance

in operating group home in Hackensack; P. 4542-4545 letter Moretti to City of Hackensack on Nov. 25, 1977 w.r.t. 387 Park St. Psychiatric Halfway House Friendship House lease; P. 4546-4554, with Exhibit from Abraham Gold, claiming Democratic Committee support, included at trial before Judge John F. Evers, L-5847-78, 02-23400A-79, Moretti v. Hackensack, on taxation and assessment of Park Court Apts., 391-5 Park St., Hackensack; P. 4555-4577. Series of letters to Hackensack Fire Dept., Hackensack Municipal Court, Saddle Brook Municipal Court, and U. S. Dept. of Labor, Feb. 7, 1997, Feb. 10, 1997, Feb. 12, 1997 concerning Maintenance Work and Multiple Dwelling Law, State v. Moretti, 26-90, 27-90, 1-96. P. 4578. Hackensack Fire Dept. to Moretti w.r.t. Fire Alarm Alerts and Repairs, March 5, 1996. P. 4579-4581, November, 1996 letters and memos claiming that 390 Park St., Hackensack single family house is a rooming house - claims by Hackensack fire dept. employees Morosco, and Carucci addressed to Lawrence Manning. P. 4582-4644, Maintenance of 390-391-395 Park St., Hackensack by Moretti directed to Hackensack Dept of Community Affairs, with bills attached, notably p. 4583 repair to radio antenna for Moretti's car which was broken while parked on site at 391 Park St (before the collision on Passaic Street and the axing prior to the trial w.r.t. tenant in apt. 397-C), p. 4610 - $3,200 paid to maintain Konica copier in 1995-1996, p. 4611 April 24, 1996 $2,500 for new roof at 390 Park St., Hackensack paid to Hackensack Roofing co., p. 4614 Heating coil and plumbing and plow costs of $5,795.45, installation of heating coil at p. 4630, p. 4631-4643 - N. J. Dept. of Community Affairs Inspection Report 3/4/96 at 391-5 Park St., Hackensack. Inspection Certificate at p. 4644, dated January 1996 and signed by Deputy Chief Richard Carucci,. Transcript of Trial before Judge John F. Evers, Feb. 1, 1983, N.J. Tax Court, Pp. 4645-5002.

272. Page 5003-5396. July 20, 2000 Notice to the Bergen County Prosecutor's Office, and Maywood Municipal Court subsequent to Notice of Court Date Transfer to Maywood Municipal Court (trial listing return date July 28, 2000 at 9:00 a.m. Bergen County Court House Room #408) from Hon. C. Eugene Godlesky (South Hackensack Municipal Court, after transfer from Hackensack Municipal Court by Hon. Roy F. McGeady, J.M.C. sitting for Louis Dinice, who recused himself), and to Sheriff of Bergen County, att.:

Foreclosure Unit, and to Superior Court of N. J., att: Judge Guida, Motion for Summary Judgment, BER-L-4114-98. United Water of N. J. v. Moretti); P. 5011 - January 3, 1979 Record Article, "Tape recorder and newsletter - by Salvatore Moretti - infuriate mayor," Page 5011.1-5011.4. Park Street Block Association Petition to the N. J. Dept. of Transportation w.r.t. hearing on reopening Berry & Clay Street Rail Crossings; P. 5012-5091 - Transcript of Pubic Hearing on February 27, 1979 - N. J. Dept. of Transportation, Railroad Crossings and Berry & Clay Street, Hackensack, N. J. (Robert Hollis for ROR Construction Corporation, Stephen Moses for City of Hackensack, Index at p. 5075.81 - Statements by Senator John Skevin p. 5 (P. 5075.86), Hackensack Mayor Frank C. Zisa p. 7 (P. 5075.88), Hackensack Deputy Mayor James T. Trammel p. 22 (P. 5075.103, P. 5076), Salvatore Moretti p. 26 (P. 5075.107), Moses Knott p. 40 (P. 5075.121), Andrew Maguire p. 42 (P. 5075.123); P. 5092 -Copier Service 6/23/00; P. 5093, G. A. P. Sales v. Salvatore Moretti, A-1035-83 T3, Bergen County District Court Docket No. 500911, Oct. 12, 1983; 5094-5122, Oct. 12, 1983 Motion before Morris Malech, J.D.C., Steven Rothman for G. A. P. Sales; Moretti's Jan. 9, 1984 Brief P. 5123-5133, Steven R. Rothman's (Englewood's Mayor, then Surrogate of Bergen County) P. 5134-5149, Correspondence 5150-5153; P. 5154, Pamela McNair v. Salvatore Moretti, N. J. Office of Administrative Law, OAL Docket No. CRT 7506-87, Aug 2, 1988 Decision by Philip B Cummis A.L.J., Reversal by the Director, P. 5166-51695186, Nov. 1, 1988; P. 5187, State of N. J. v. Salvatore Moretti Hackensack Municipal Court Docket No. C89-2519, Hon. Louis Dinice, and Moretti v. Beavers, LT-022062-89, P. 5188 - Complaint by Darlene Mandeville, Health Dept., Sept. 27, 1989, P. 5190-5237, Transcript of Proceedings before Hackensack Municipal Court, on Sept. 28, 1989 and Oct. 5, 1989; P. 5236-5246, Brief submitted by Moretti to Hackensack Municipal Court to Complainant Christopher Colli trial dates Nov. 16, 20, 1989; Pest Control April 14, 1989 etc. P. 5247-5264; P. 5265, Moretti v. Beavers, Brief to Judge Lawrence Smith dated Dec. 19, 1989; P. 5268 Retaliatory Eviction ruling by Judge Lawrence Smith; P. 5269-5283, Memorandum by Moretti, Moretti v. Beavers, LT-022062-89; P. 5284, James Stanton - Hackensack Apartment Owners Association Notice dated Jan. 2, 1979, P. 5285, Vacancy Decontrol in Hackensack

June 20, 1978 - The Record, P. 5288 Moretti's Brief submitted to the Office of Administrative Law, O.A.L Docket No. CAF 06604-86, P. 5305, Orders of the Commissioner Bureau of Housing Inspection, Jan 1, 1985. P. 5310, March 10, 1986 Notice w.r.t. $10,000 expenses for compliance with Orders of the Commissioner, P. 5327, Transcript of Pre-Trial Conference on Oct. 25, 1994, Moretti v.Church of God in Christ, Faith Temple Garden of Prayer Inc., L-6452-94, Before Hon. Richard Hamer, J.S.C., Prior Zoning Variance by Joe Scot, Moretti's Pretrial Memorandum BER-L-7703-93, P. 5352-94 Moretti's Pretrial Memorandum BE-L-6452-94, P. 5354 Faith Temple's Pretrial Memorandum BER-L-7703-93, P. 5355 Board of Adjustment's Pretrial Memorandum BER-L-7703-93, P 5356-5382 Resolutions and Minutes of Hearings before Hackensack Board of Adjustment of Faith Temple Variance Applications, P. 5383-5392 Moretti's Brief Submitted to the Superior Court Appellate Division, P. 5393-5395. November 21, 1995 Appellate Division Opinion Case of Moretti v. Faith Temple Docket No. A-2012-94T2 Filing Date Nov. 21, 1995, P. 5396. Denial of Certification by the N. J. Supreme Court March 26, 1996 Case No. 41,557 Moretti v. Faith Temple.

273. August 14, 2000 Notice to the Bergen County Prosecutor's Office, Maywood Municipal Court, Sheriff of Bergen County, Superior Court of New Jersey, Federal Bureau of Investigation, and Internal Revenue Serivce. Pages 1-6. Notice states that a copier machine defect requires another maintenance call which is to expected since there are over 500,000 copies on the machine. In fact, a later inspection revealed there are over 800,000 copies on the machine.

274. August 14/August 29,2000. Notice to Bergen County Prosecutor's Office, Maywood Municipal Court, Bergen County Sheriff's Office, Superior Court of New Jersey, and Hackensack Zoning Board, Pages 5405-5854. P. 5405. Municipal Court Complaint by Lt. Thomas Uzzalino, Hackensack fire Department, Failure to Pay Fine and abate violations. 391-395 Park Street, Hackensack, in violation of 26-90 Ord. 7-99. P. 5406.Julei Ferenczi's August 9, 2000 Notice as to cutting grass at 391-395 Park Street, Hackensack hand delivered on August 11 at Hackensack City Hall. P. 5407. July 26, 2000 Notice by David E. Dax, Executive Director, Christ Church Community Development Corporation, 251 State St., Hackensack, states that in view of the zoning board's revocation of the

certificate of occupancy of the Orchard Street center for the homeless, we cannot purchase 391-395 Park Street, Hackensack at this time. P. 5408-5411. Notice of Hearing for Variation from the Zoning Board of Hackensack, Application #36-00, by 22 Jersey Avenue Associates, hearing to be held at city hall on July 19, 2000. Notice sent by Seymour Chase, 1 Atlantic St., Hackensack. P. 5412-5413. Moretti's Credit Card Bureau Payments of $5,804.94 from October, 1999 to August, 2000. Attempt by Moretti to restore good credit after shut down of Park Court Apartment in April, 1997. Credit card credit was used instead of bank loans when banks refused to loan on the equity in the buildings which were paid off in 1979. P. 5414 U. S. Social Security Administration Eligibility for Salvatore Moretti. Shows taxes social security earnings from 1973-1976 inclusive equal zero, from 1982-1989 inclusive equal zero, from 1991 to 1996 equal zero. These zero earnings resulted from management and work as superintendant at Park Court Apartments during those years. P. 5415. The Record Aug. 16, 2000. Prosecutor fires aide who bucked him. Richard Muti fired. P. 5418-5419. The Record Aug. 15, 2000. Deputy (Muti) opposed $7 million purchase - Prosecutor (Muti) breaks with boss over space needed. P. 5420-5422. Sheriff (Ciccone) blames politics for union vote. 62% of officers have no confidence in him. P. 5422.1-5422.2. The Record, March 14, 2000. 4 suspended I Cliffside Park scandal. Theft-arson conspiracy rocks town. P. 5422.3 Bergen News, (Cliffside Park) Defendants to enter please on CP theft/arson charges. P. 5422.5 The Record. Schmidt's proposal for offices criticized. Zisa says funds should be used for probes. P. 5422.6 March 11, 2000. The Record. Sheriff's brother, 7 others indicted. Accused of looting dead man's home. P. 5422.8 Bergen News. May 3, 2000. Whitman signs Zisa sponsored crime bills. P. 5422.9 The Record July 6, 2000, Helping battered women find a way out. P. 5422.11. The Record. Hsckensack cancels permit to run shelter. Orchard Street, Hackensack homeless shelter closed by Hackensack zoning board. P. 5422.13. Theodore Trautwein, judge who jailed reporter for notes, dies. P. 5422.14. The Record Suit against police costs city $300,000. Hackensack agrees to pay restauranteur (Egan is the owner of Cubby's restaurant on South River Street, Hasckensack. P. 5422.17. Old Times at Duke's by Mark Stuart. June 2, 1985. P. 5422.18 states "Duke's was headquarters for Willie and Salvatore Moretti, who

controlled illegal gaqmbling activities in North Jersey." P. 5422.20. Pinto Service, Incx. Service Memo. Empty container at 391 Park St., Hackensack. Bill of $90.00 marked paid, and dated 4/28/00, check #329. P. 5423-5450. New Jersey Reports, Vol. 82. City of Hackensack, Respondent v. Richard Winner, and Nicholas Sarapuchiello, William Kresja, Appellants, and the Public Employment Relations Commission, Appellant., Argued March 6, 1979 - Decided January 22, 1980. Supreme Court of New Jersey Opinion. P. 5451 Jademar Industrial Co. Variance Application No. 35-78 Dec. 15, 1982. 381-383 Park St., Hackensack, construction of an addition to an office building. P. 5453. Frank Alster Variance Application 15-75 filed April 25, 1975 to construct a 72 unit apartment house at the corner of Park Street and Berry Street, Hackensack. P. 5455-5543. Transcript of Zoning Board hearing on July 19, 1978, Jademar Industrial Co. P. 5544-5546. Resolution adopted by the Zoning board on July 19, 1978. P. 5547-5610. Transcript of Proceedings on the Jademar Variance on December 15, 1982. Decision by the Appellate Division, ROR Construction Corp. v. Board of Adjustment of Hackensack and Jademar Industrial Co., A-3609-78. Decided April 23, 1980. States that Hollis's failure to issue summons within 10 days after the filing of the complaint did not warrant dismissal of the complaint againt Jademar, and court should inquire whether Jademar was prejudiced when it demolished house and constructed the building. P. 5615-5755. Hearing before Judge Donald De Cordova, Dec. 12, 1981, Docket No. L-323-78 ROR v. Hackensack and Jademar. P. 5756-5791. Depositions of Joseph A. DeMartino and Salvatore Moretti August 4, 1981. ROR Construction Corp. v. Hackensack and Jademar Industrial Co. P. 5791-5801 Brief on Behalf of Jademar Industrial by Frank Alster Docket No. A-3609-78. P. 5802-5826. Brief on Behalf of ROR Construction Corp., by Edward Evans, A-3609-78. P. 5827-5837. Transcript of Proceedings before Judge Donald De Cordova December 17, 1981, Moretti Realty v. Hackensack and Jademar Industrial Co. P. 5838. Zoning Board Hearing on January 19, 1983, Applic. 35-78, Jademar Industrial Co., P. 5842. Resolution adopted Jan. 19, 1983. P. 5844-5850. Transcript of Aborted attempt to depose Mr. DeMartino by Salvatore Moretti on May 27, 1983. P. 5851-5854. Letter-Opinion by Judge William

Meehan dated January 17, 1984, in re Moretti v. Hackensack Zoning Board and Jademar industrial Co., L-001683-83.

275. September 9, 2000. 8 page letter to Bergen County Prosecutor's Office, Maywood Municipal Court, Sheriff's Office, Superior Court of New Jerey, Clerk of the Supreme Court of New Jersey, and Manhattan District Attorney s Office.

276. September 29, 2000. Complaint filed in the United States District Court, District of Newark, Newark, New Jersey, Salvatore Moretti v. Joseph Ciccone, Sheriff of Bergen County, and the Bergen County Sheriff's Department, Docket No. 04809 (FSH). Cause of Action: 42 U. S. C. Sections 1981, 1982, 1983, plaintiff Moretti was jailed after being shut out of his house at 390 Park Street, Hackensack; then houe was sold by Sheriff resulting in sham sale $109,000 below fair value, contrart to N. J.Stat. Ann. 2A:50-3.

277. October 9, 2000. Pages 5854-5930. Notice to Bergen County Prosecutor's Office, Judge Roy F. McGeady SC-2000 001566, and Joseph Preziosi, Esq. (Prosecutor - Maywood), Sheriff of Bergen County, Superior Court of New Jersey, and Hackensack Zoning Board - 22 Jersey Avenue Associates. Notice copies in the addresses as to the Federal District Court complaint, Moretti v. Ciccone et al., 04809 (FSH), at 5857 includes Charles "Ken" Zisa's letter to the Bergen News with regard to revising the forfeiture laws with regard to local police departments such as Hackensack's police department where he is Chief of Police, at 5859 a synopsis of N. J. v. Jones, 143 N.J. 4, and at 5864 Synopsis of N. J. v. Harry Kittrell, 279 N. J. Super 225, includes material collected from the Executive Intelligence Review, from 5867-5872, and 5876-5891, at P. 5873 September 8, 2000 letter from Judge Robert Guida to John Wallace and Salvatore Moretti in case of United Water new jersey v. Salvatore Moretti, BER-L-4114-98, at P. 5875 Resume of Salvatore Moretti, at P. 5892 Map of Washington showing George Wahington University, P. 5893 Map of Hungary, Infopedia and Multipedia CD-Rom Articles from P. 5894-5923, P. 5924 April 4, 1997 Record Newspaper Article Entitled - Apartments Condemned Over Unpaid Water Bills, P. 5926-5927, September 11, 2000 letter from Joseph Preziosi to Judge Roy McGeady re. N. J. v. Moretti, Complaint No. 000116, P. 5928-5930, The Record, Article entitled 5 arrested in undercover drug sting. Suspects believed to be gang members, notes that a member of the

Latin Kings in Hackensack was arrested operating out of 59 Prospect Avenue, Hackensack. Detective Captain Michael Mordaga is pictured escorting suspect Juan Quinones into Hackensack police headquarters. 278. October 25, 2000. Notice from Moretti to Bergen County Prosecutor's Office, Judge Roy F. McGeady SC-2000 001566, and Joseph Preziosi, Esq. (Prosecutor - Maywood), Sheriff of Bergen County, Superior Court of New Jersey, and Hackensack Zoning Board - 22 Jersey Avenue Associates. Notice copies in the addresses as to European history and the development of the Hungary's occupation by Russia, and Ferenczi's emigration from Hungary afrter having grown up under communism. Notes that the police prior to 1989 and her leaving Hungary was that the property of the middle class must be confiscated and distributed to the people. P. 5941. Record Newspaper article, Masked man arrested after chase, car crash; Mike Mordaga saw a man wearing a mask on Union Street (one block from Park street), gave chase and arrested the man in Paterson. Tyra Jordan, 25, of Hackensack, was arrested. P. 5942. The Record. September 26, 2000. 5 arrested in undercover sting arrest of Juan Quinones. Alleged supplier of drugs were members of Latin Kings. P. 5944. Record. September 28, 2000. Apartment rents in N. J. are highest, group (Housing and Community Development Network) says. "Advocated cited a study by the National Low Income Housing Coalition that siad the average rent in new jersey was $878 in 1999. That figure was up $51 from the year before, enough to move New Jersey above Hawaii for the highest average in the country, Kasabach said." P. 5945. The Record, Oct. 12, 2000 Verniero had data on profiling in '97. Newly available papers reveal role in probe. P. 5946. The Record Oct. 24, 2000 - Court rules gang's trial was proper. Says security plan did not sway jury. Article discusses Bergen County Sheriff's officers searching defense attorneys' notes prior to trial. P. 5948. The Record. Fake arrest case dropped against ex-sheriff's chief. Case against Dennis O. Stellato of Emerson dismissed. P. 5949. The Record. Oct. 20, 2000. Landlord awarded $750,000 in bias case. Central Islip, N. Y. "A federal jury has awarded $750,000 to an East Rockaway businessman after finding that the village of East Rockaway and its building (code) superintendent discriminated against him becaue he rented to minorities." P. 5950. Libertarian Party News, N. J. Supreme Court upholds right to trial by jury. September, 1988. LP News article

states that "the stakes were high for New Jersey law enforcement, which seized close to $13 million in property and cash in 1996. Currently (in 1988), there are 2,500 cases pending forfeiture cases in the state - all of which now qualify for jury trials, thanks to the new ruling." Case title, N. J. v. One 1990 Honda Accord and $420. Article notes that since 1985 "more than 200,000 Americans have had their property seized under property forfeiture laws by federal, state, or local government - and in 80% of those cases, no one was ever charged with a crime. In all, more than $5 billion worth of private property had been seized by state and federal law enforcement agents." P. 5953. Internet now features the April 4, 1997 article from the Record, Apartment condemned over unpaid water bills, Article states "dozens of occupants of 391-397 Park Ave. were ordered to leave their garden apartments Wednesday after landlord Salvatore Moretti refused to pay the money he owes to United Water Resources Inc."

Salvatore Moretti, Pro Se, Canal Street Station, P. O. Box 1306 New York, New York 10013-0876

SUPREME COURT OF THE STATE OF NEW YORK, STATE OF NEW YORK: COUNTY OF KINGS, SECOND DEPARTMENT: SECOND JUDICIAL DISTRICT.

Motion for Summary Judgment; Affidavit by Salvatore Moretti, Index No. 2727-96. Hon. Irving Aronin, Oral Argument Demanded, Civil Action, Rico, Assault and Battery, Fraud, Tort.

SALVATORE MORETTI, Plaintiff - against - CITIBANK, N.A., CITIBANK BRANCH NO. 11, MARY WING,JOHN DOE, ET AL., Defendants

Salvatore Moretti, plaintiff in the above captioned civil action, hereby declares under oath as follows:

1. I am the plaintiff in the above cause of action, and I am fully familiar with the facts within.

2. This action is brought to recover judgment for the robbery and assault and battery which occurred on Aug. 8, 1994 in which I, Salvatore Moretti, was the victim of an assault and battery and was robbed in the defendant's bank - Citibank Branch No. 11, Broadway at Canal Street, New York, New York. I filed the complaint in this case on Jan. 26, 1996 in the King's County Supreme Court, 360 Adams St., Brooklyn, N. Y.. On March 18, 1996, Sills, Cummis, Zukerman, et al., 712 Fifth Ave., N. Y., N. Y., and an office at One Riverfront Plaza, Newark, N. J. 07102-5400, filed an answer to the complaint on behalf of Citibank N.A., Citibank Branch No. 11, and Mary Wing. Depositions were taken in this case (at 712 Fifth Ave., N. Y., N.Y.) including testimony by Salvatore Moretti on June 11, 1997, and (at the King's County Courthouse, 360 Adams St., Brooklyn, N. Y.) including testimony by Salvatore Moretti and Mary Wing on Sept. 16, 1997.

3. The depositions referenced in paragraph two prove that there were repeated notices given by myself, Salvatore Moretti, to the defendants Citibank, N. A., Citibank Branch No. 11, and Mary Wing, Vice-President of Citibank, said notices of preparatory acts to commit the robbery complained

of. The preparatory acts included throwing money on the floor where I, Salvatore Moretti was standing while I was making cash deposits at the Canal Street Branch of Citibank. Preparatory acts also included deducting cash deposit tickets in the amount of $1,250...

6. Citibank was immediately noticed so as to preserve the videotapes of the robbery, but they have failed to comply with my demands for discovery to turn over these tapes for the last three years. There were a number of cameras in the bank on the date of the robbery, and several cameras showed the actual robbery in progress, as well as the entry and getaway of the robber. I viewed these tapes at a Citibank central operations office located in Manhattan, and I identified the robber as he entered the branch the day of the robbery. The robber was a white male about 35 to 40 years of age, casually attired. I described the robber as waiting in Mary Wing's office twenty feet from me until he spotted that I unlocked the gray valise in which I kept the deposit; upon opening my valise, the robber, John Doe, rushed toward me, assaulted me, and stole the deposit; he then ran away from the teller windows inside Citibank Branch No. 11, and escaped down the steps into the investment area of the bank....

8. By reason of the foregoing, there is due and owing to me from the defendants the entire amount of money stolen on Aug. 8, 1994 within the Citibank Branch No. 11 at Canal St., and Broadway, N. Y., N. Y., as well as the amount of damages for the assault and battery described, as well as the contingent losses to my real estate holdings located in Hackensack, N. J., which holdings are described in the transcripts of the above referenced depositions attached hereto. Bank foreclosures and outstanding tax liens have occurred due to my deposit moneys being stolen on Aug. 8, 1994; the moneys stolen were to pay a water bill judgment issued by Superior Court Judge E. Koblitz, on behalf of the Hackensack Water Co.; the moneys stolen were also to pay judgments entered on behalf of Dinice, Amoroso, and Sullivan, said judgments entered in and recorded at the federal district court in Newark, N. J..

Due to my inability to pay these judgments, my 20 unit apartment building (located at 391-395 Park St., Hackensack, N. J.) was shut down effective April 1, 1997 until today, and my house (located at 390 Park Street, Hackensack, N.J.) was listed for foreclosure sale by the Bergen County Sheriff on August 26, 1998. I was evicted from my house at 390 Park St., Hackensack, N. J., by the sheriff of Bergen County on Feb. 11, 1999, with all my possessions being removed from me at that time remaining in the house. I hereby demand damages in payment for court costs, costs of transcripts of depositions and attendance thereat, and such further relief as may be awarded by the court. The damages demanded are a jury question, and should be submitted as a separate question to the jury for their determination as to the extent of damages on the day of trial, which date is to be set by the court. The loss of rental income alone from 391-395 Park St., Hackensack, a 20 unit apartment house, comes to $13,000 per month for $338,000. The loss of ownership due to the sheriff's sale at 390 Park St., Hackensack, N. J. amounts to approximately $90,000. If there are further delays, the loss of ownership of 391-395 Park street due to sheriff's sale will result in loss of one million dollars.

9. The foregoing statements made by me are the truth. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: May 25, 1998. Submitted By: (s) Salvatore Moretti

Jurat Date: May 25 1999 Submitted By: (s) Salvatore Moretti

Presented in a letter to Judge Stark and the Defendants Salvatore Moretti v. United Water Resources, Inc., City of Hackensack, and State of N. J., Docket No. BER-L-5678-97. Inverse Condemnation Action. June 28, 1997. Deposition of Salvatore Moretti, on June 11, 1997, in the matter of Salvatore Moretti v. Citibank, N.A., Citibank Branch No. 11, Mary Wing, JohnDoe, et al., New York Supreme Court, County of Kings, Index No.2727-96. Deposition occurred at the offices of Sills,Cummis, 712 Fifth Avenue, New York, New York at 10 p.m. Deposition of Salvtore Moretti was to be followed by

Deposition of Mary Wing. Mary Wing refused to be sworn.

Page 24. Moretti. "As the manager of properties as set forth in the complaint I filed in the
Supreme Court, second department - second judicial district under index 2727-96, the complaint that parties - at Subparagraph 3 states, Salvatore Moretti is the owner of 391 Park Street and opened a checking account at Citibank Branch Number 11 on May 28, 1993, wherein there were deposits into the account of $145,000 -

Question - "Mr. Moretti, you're not answering the question.

Page 27. Moretti. "The deposits as the complaint records were from the property at 391 Park Street; specifically, the rentals of the units which were deposited to - between May 28th of 1993 and August 8th of 1994 in the amount of $145,000, and whatever additional monies of any additional accounts may have been transferred over.

Page 30. Moretti "During that time period which we are discussing, May 28th 1993 to August 8th of 1994, I deposited rents from but two location or addresses which happened to have consecutive street numbers, 390 and 391 Park Street, and that the deposit as far as Citibank is concerned, which we are discussing today relating to the robbery which occurred on August 8th of 1994 at 2 p.m., was of rental receipts from the property which was located at - as a street, address, simply 391 Park Street, Hackensack.

Page 34. Moretti "What I confined the complaint to was between May 28th 1993 and August 8th of 1994 as a property manager or in connection with a property management I deposited $145,000 from New Jersey real estate activities into a New York bank called Citibank, located at Canal Street in New York, Branch Number 11, I believe, or Branch Number 11 at Citibank.

Page 70. Moretti "When I read the complaint (what attracted me this morning) was that I requested a loan sometime early in 1994 prior to the robbery on August 8th of 1994 and that there was discussion relating to a loan from Citibank to

myself, and the complaint was fairly clear in that respect. I think the reason it was in the complaint - And I'm discussing it now - is because I'm concerned about or was concerned about funds to operate the property, and also that the bank being near places of business at which I frequented or had some reason to go into that area so that I could do business there...New York Law School is located on the same street really.

Page 108. Moretti "You're question in another light is how much money was taken by physical force or intimidation from the depositor in the time period we're talking about, which is three years ago in 1994. So what I am saying is that, as the complaint states, there was a series of threats, intimidations, money thrown on the floor -...these were intimidating factors; and as the complaint states that - I was placed in a defensive position, during which time $1,250 was removed from that - my banking account, which was a cash deposit, and stated that the money, which was a check, presumably two $600 checks, one for $625 and one for $600, which were typical rents, was not part of the deposit ticket. So I would say, and I would recall as the complaint states, that there were a series of occasions during May, June, July, and lastly, August, when money was thrown on the floor about me. Individuals were milling about of a suspicious sort and that, as a matter of fact, [p. 109] during that time period there were at least three occasions where there were deductions from my checking account. And on at least one of those occasions it was - there was both money thrown on the floor and a $1,250 cash deduction was made from my account... but, in fact, the $1,250 check or checks was denoted on the deposit ticket as cash, and it was a $1,250 deduction during the time when I was placed not merely in a defensive position, but in a physical position of being surrounded by people throwing cash on the floor next to me so that I would bend down and pick up the cash thinking it was my cash, because I happened to be standing even on the cash or within two feet of the cash or four feet of the cash as normally you would do.

Page 111. Moretti "Eight, numerous occasions there appeared money on the floor where it was - And that money was clearly thrown there to divert my attention from doing what I was there to do, which was to deposit money. And clearly the first thjng that pops into your head is if I am standing next to money, I must have dropped it from my bank deposit.

Page 118. Moretti "Let me continue answering the question. Your question was in terms of who did I see during the eight times money was thrown at my feet from May 8th [1993] to August [1994]; and I am responding, some of the individuals that I saw appeared to be members of a security [service], which I interpreted at that time as being related to telephone calls I had made to Citibank that I felt insecure procedures were being utilized because, A. $1,250 dollars was deducted from my account on a cash deposit; and, B, People were throwing money at my feet at Citibank. I thought that I - I spoke to these people at the telephone number which was [pg. 119] supposedly in - I spoke to someone who was supposedly in your security services for Citibank in Manhattan and made a series of phone calls and made - and was patched in through different telephone calls so I understood -

Page 127. Moretti "They were doing no banking activity at all of a typical bank customer They did not appear to be a customer making a deposit, withdrawing cash, writing a check, going to the A.T.M., and finding out what their bank balance was..

Page 128. Moretti "I would say to myself, I wonder what that money is doing on the floor. I wonder if I should pick it up. I wonder if it fell out of my trousers. No one else is around. It must belong to me because it wasn't there before and now it's there. I would then say, Well, gee. If I dropped the money, how the hell could I drop that money, if I dropped the money, what's going on here. If it's the first time that it happened, you wouldn't think anything of it. If it's the second time, you probably wouldn't think something of it; but the day that $1,250 is deducted from my account jointly with or around the same time something else occurred, I think you would be

getting into being either defensive or agitated enough to call Citibank security and let them know that there were preparatory acts to your getting robbed by somebody stealing your deposit when you entered that branch.
Page 130. Moretti 'The question was on and I recall I yelled out, "the thief has taken my deposit. He has wrapped twenty dollar bills which constitutes 100 twenty dollar bills wrapped, would be $2,000 bucks, and two wrappers, would be 4,000 bucks and so on He has obviously something weird because who would steal a Garden State National Bank deposit pacquet, because that's a New Jersey bank in New York. So I would, to identify the guy who stole my money, yell out, "This guy has stolen my money. He has my bank deposit bag. He's got wrapped twenty dollar bills," and on that occasion I recall that the people I described were of no help at all in rescuing or preventing the robbery or in securing the robber."
Page141. Moretti "I'm indicating that those are suspicious preparatory acts and, as a matter of fact, that wouldn't be either suspicious or preparatory if [p. 142] there weren't a theft on August 8th [1994]. In fact, on August 8th, there was a robbery at 2 p.m. of over $7,000 and as I said, these are the types of preparatory acts which tie together what was going on The disappearance of security, the appearance of a group of people who, as I said, not only were not helpful and did not get the thief, John Doe, but who, in fact, interfered with the normal routine of he bank, obviously interfered with me catching John Doe when he stole it [the bank deposit].
Page 157. Moretti "I had a Sears valise which had a combination lock on it, which had three numbers that you would have to open in order to get into the deposit. Obviously the thief waited until I opened up my bag before he grabbed it. Obviously he didn't do it in a straight forward manner. There was money on the floor. So obviously this was a well-rehearsed robbery in which security would have immediately seen if they were alert.
Page 158. Question. "I asked you to describe what happened in that ten minutes."

Moretti. "I just stated, A. I saw here was money on the ground; B. The thief wasn't there when I entered; C. The thief had an opportunity to wait until my three-digit numbers were turned before grabbing the money and the deposit bags from United Jersey Bank and Garden State National [Bank] to run away.

Page 159. Moretti. "Let me just say, I was there last December of 1996 before the first of the year, and they handed out - They had the doors locked. They had closed down the bank. There were only A.T.M.'s out front and there were - They were handing out pieces of paper which said, "Go to another branch because your bank account is being taken care of at another branch. I believe it was on Elizabeth Street...

Question Did you see who took the money?

Moretti "I saw that the person who had been standing at Mary Wing's desk exited from her office, came toward me, and took the deposit.

I have presented this excerpt from the testimony taken to provide insight into the gravity of the operating. difficulties relating to the subject property. This difficulty is supported by the seventy-one page photographic exhibit attached to the body of the complaint which I trust the defendants have received by now from the clerk's office of Bergen County.

Very truly, (s) SalvatoreMoretti

cc.:.Gov. Christine Whitman, Attorney General Peter Verniero, City of Hackensack, c/o Richard E. Salkin Esq., United Water Resources, Inc. c/o John P. Wallace,Esq., John Scura, Esq.

Salvatore Moretti, 390 Park St., Hackensack, N. J. 07601, (201) 487-5179

Superior Court of New Jersey, Bergen County, Law Division, Docket No. BER-L-7058-98. Complaint and Jury Demand. Salvatore Moretti, Plaintiff, Dr. Stephen Sherer, Hackensack University Medical Center, and Maple Glen at Fair Lawn

Nursing, and Rehabilitation Center, Defendants.

Salvatore Moretti, plaintiff in the above cause of action, hereby declares as follows:

First Count

1. Plaintiff Salvatore Moretti is the son of Theresa Moretti, who died on May 28, 1998; Theresa Moretti resided at 197 Alpine Drive, Paramus, N. J. until her death.

2. Plaintiff visited his mother, Theresa Moretti for an extended period of time during which time it was learned that she was mistreated by the above named defendants; all three above named defendants have refused to provide the plaintiff with information as to their treatments or the records relating to diagnoses made relating to plaintiff's mother.

3. As a result of Dr. Stephen Sherer's mis-diagnosis that the patient was terminally ill, he gave her medical drugs improperly and administered in such great quantity that Theresa Moretti vomited and was in pain. Sherer then ordered her removed from her house and taken by ambulance...to Hackensack University Medical Center at 385 Prospect Avenue, Hackensack, N. J.

4. Dr. Sherer visited his patient, Theresa Moretti, and stated Theresa Moretti was dying of terminal cancer, that she had only a few weeks to live; but he stated she only had a possibly cancerous growth in her mouth. He said she should be allowed to die without her being informed she was dying.

5. Plaintiff repeatedly called Dr. Sherer stating Theresa Moretti was suffocating from mucous in the lungs, but he adamantly stated she would die soon and there was nothing he intended doing.

6. Plaintiff has demanded to see Dr. Sherer's medical records, but he refuses to release same, claiming a privilege of confidentiality which cannot be broken due to the death of Theresa Moretti.

7. Wherefore, plaintiff claims for one million dollars against

Dr. Stephen Sherer and for such other damages as a jury may find upon their deliberation on the facts herein.

Second Count

8. Plaintiff repeats the first seven paragraphs as if set forth herein and at length.

9. When Theresa Moretti was twice rushed by ambulance to Hackensack University Medical Center from her home, plaintiff complained to the medical center that Dr. Sherer had improperly diagnosed Theresa Moretti, that he had over-prescribed drugs for her, that Sherer had dismissed the fact that Theresa Moretti was in great pain. Although plaintiff demanded that the hospital correct for these medical problems, they failed to do so. This resulted in Theresa Moretti remaining in a condition where she was over-prescribed with drugs, including a tranquilizer, and she was thus rendered bed-ridden and unable to care for herself. Although plaintiff was turned away from the Hackensack University Medical Center and prevented from visiting Theresa Moretti, he was eventually permitted to visit her. When given the opportunity to visit her, he demanded to see her medical charts, and was finally permitted to examine these records; these records failed to show the need for the extreme medical treatments and excessive dosage and over-prescription of drugs she was receiving. When demand was made for copies of these medical records, the hospital refused to provide the requested records, under claim of medical privilege. When Theresa Moretti's medical benefits ran out, she was shipped by ambulance to a nursing home.

10. Wherefore, plaintiff herein claims damages for one million dollars against the Hackensack University Medical Center and for such other relief and/or damages as may be found by a jury at jury trial, based upon their deliberations on the facts within.

Third Count

11. Plaintiff repeats the first ten paragraphs of the complaint in this count as if set forth herein and word for word.

12. When Theresa Moretti was placed in Hackensack University Medical Center by Dr. Stephen Sherer, she was held there until her medical benefits were exhausted, and then she was moved by ambulance and without notice to the plaintiff to the Maple Glen at Fair Lawn Nursing and Rehabilitation Center, 12-15 Saddle River Road, Fair Lawn, N. J.

13. While at the Maple Glen nursing home, plaintiff repeatedly visited Theresa Moretti, who was kept at the nursing home under lock and key. She was not permitted to be removed since the residents wore plastic "bracelets" which prevented the exit door from being opened when they were within range of the electronic bracelet sensor embedded within the locked doors. Guests without the bracelets on could come and go without knowing the bracelets prevented walking out the door.

14. Plaintiff repeatedly complained verbally and in writing to the nursing home that his mother was the victim of improper medical procedures which endangered her health, but he was ignored...

15. When plaintiff described the medical drugs given to Theresa Moretti he was ignored, instead Theresa Moretti was handed over to Hackensack hospital's terminally ill section called "hospice." As a result of this treatment, Maple Glen was negligent.

16. After her medical benefits ran out, Theresa Moretti was transported back to her home, 197 Alpine Dr., Paramus, N. J.; she died after being given morphine by the hospital's hospice unit and after her lungs were pumped out showing one half gallon of mucous in her lungs on the date of her death, May 28, 1998.

17. When plaintiff demanded copies of the medical records of

Theresa Moretti made while Theresa Moretti was at the nursing home, he was refused on the basis of medical privilege.

18. Wherefore, plaintiff Salvatore Moretti demands one million dollars due to the medical negligence shown by Maple Glen at Fair Lawn Nursing and Rehabilitation Center, and for such other relief/damages as may be shown by a jury deliberating on the facts.

CERTIFICATION

The above cause of action is not the subject of any other judicial proceeding at this time, and it is not within this party's knowledge whether any other judicial proceedings are planned.

Dated: July 29, 1998 (s) Salvatore Moretti; Jurat Date: July 29, 1998 (s) Salvatore Moretti

Salvatore Moretti, Canal Street Station, P. O. Box 1306, N. Y., N.Y. 10013; October 13, 1999

Emille R. Cox - Clerk of the Appellate Division, Superior Court of New Jersey, Hughes Justice Center - P. O. Box 006 25 West Market Street, Trenton, New Jersey 08625

re: Salvatore Moretti v. Dr. Stephen Sherer, et al. Notice of Appeal to the Appellate Division from the Case Docketed No.BER-L-7058-98. Appellate Division No. A-497-99T1

Dear Clerk of the Appellate Division:

By letter dated October 12, 1999 I advised the court that the written opinion of Judge Sciuto dated July 20, 1999 contained the language rendering the court's interpretation in the case. Judge Sciuto wrote as follows:

I am in receipt of a letter dated June 18, 1999, addressed to my attention. Although the letter is dated June 18, 1999, my office did not receive same until July 14th...[M]y June 11, 1999 ruling...dismissed plaintiff's Complaint against the defendant

Hackensack University Medical Center for failure to comply with N.J.S.A. 2A:53A-27, namely failing to provide an Affidavit of Merit...Mr. Moretti suggests that this is a res ipsa loquitur case... Further, he contends that the harm to his mother, Theresa Moretti...occurred prior to the effective date of the statute in question...

On August 2, 1999, I wrote the trial court that the case cited by Judge Sciuto, Toy v. Rickert, 53 N. J. 27 (App. Div. 1958) stated at page 33 as follows,

The Supreme Court has recently restated the criteria necessary to the application of the doctrine (of *res ipse loquitur*) and the scope of the inferences allowable under its application. Speaking through Mr. Justice Heher, in *Bornstein v. Metropolitan Bottling Co.*, 26 *N. J.* 263, 269 (1958) the court said:

"The maxim *res ipse loquitur* symbolizes a permissible presumption of negligence from the plaintiff's proof, that is to say, an allowable inference of the defendant's want of due care **where (a) the occurrence itself ordinarily bespeaks negligence; (b) the instrumentality was within the defendant's exclusive control; and © there is no indicatiōn in the circumstances that the injury was the result of the plaintiff's own voluntary act or neglect..."**

There is certainly no reason not to apply the doctrine to medical malpractice actions where plaintiff's proofs meet the requirements laid down...

Theresa Moretti was a patient at the Hackensack Medical Center from May 10, 1995 to May 16, 1995, from June 4, 1995 to June 9, 1995, from January 26, 1998 to January 30, 1998, and from March 20, 1998 to April 6, 1998...the drugs administered included **theophylline, pepcid, vanceril, atrovent, K-dur, cardizem, rhythmol, prednison, lanoxin, prozac, and morphine. These drugs taken without proper supervision and in excess are inherently dangerous...**

Very truly, (s) Salvatore Moretti

REPLY BY THE CLERK OF THE SUPREME COURT TO LEGAL PAPERS FILED BY MORETTI, DATED MARCH 23, 2000.

SUPREME COURT OF NEW JERSEY

Stephen W. Townsend, Office of the Clerk, P O Box 970, Trenton, New Jersey 08625-0970

Gail Grunditz Haney, Deputy Clerk

March 23, 2000

Mr. Salvatore Moretti, Canal Street Station, P O Box 1306, New York, NY 10013-0876

Re: Your papers dated March 14, 2000 and March 17, 2000
Supreme Court Docket Nos. 48,238, 48,551, and 49,242

Dear Mr. Moretti:

This office is in receipt of your papers of the above-referenced dated. These papers do not comply with the Court Rules, and therefore will not be filed or acted on by the Court. Neither the Clerk's Office nor the Supreme Court are required to parse lengthy, single-spaced papers like those you have submitted to determine what relief a party may be requesting. The relief sought must be clearly expressed in a notice (notice of motion, notice of appeal, or notice of petition for certification). All papers must be double-spaced, and briefs are subject to strict page limitations.

Enclosed is a copy of the Supreme Court's Guide for Litigants without Lawyers. I suggest that you read the Guide closely and follow its instructions in preparing any future papers.

I also note that your appeals in 391-395 Park Equities v. Moretti, (Docket No. 48,551) and Chase Mortgage Services, Inc. v. Moretti (Docket No. 48,283) have been dismissed, and no further papers will be accepted for filing in those cases. (see my letter dated February 17, 2000, copy attached.) In addition, although you have filed a notice of appeal in Moretti v. United Water Resources, Inc. (Docket No. 49,242), that appeal is subject to possible dismissal just as your previous appeals were dismissed. (A party has the right to appeal to the New Jersey Supreme Court in very limited circumstances B see Guide). I therefore suggest that you submit forthwith your answer to the motion to dismiss filed by the Attorney General.

(S) Mark Neary, Staff Attorney

c: Clerk of the Court, Patrick DeAlmeida, Esq., .
John Wallace, Esq.

[Included At P. 3459 of Innocent Owner's Defense]

SUPERIOR COURT OF NEW JERSEY
Theodore W. Trautwein
Court House, Assignment Judge
Hackensack, New Jersey 07601

March 21, 1979

Mr. Salvatore Moretti
391 B Park Street
Hackensack, New Jersey 07601

Dear Mr. Moretti:

I am in receipt of a copy of your letter of March 19, 1979 to my Court Administrator, Dr. Contrad J. Roncati.

It is apparent from that letter that you misconceive the function of a court administrator and, indeed, the court itself vis-a-vis a litigant's relationship with his attorney. The basic function of a court is to hear cases and decide them. The court is barred from giving legal advice or from advocating the cause of one litigant against another. The court administrator serves the court in the matter of day to day non-judicial business. Neither the court nor the administrator dare interpose themselves into the relationship of an attorney and his client. If you are dissatisfied with your attorney, then discharge him and get another. Hence, I deeply resent the tone and quality of your demands set forth in your letter, to wit:

_1__ Demand that the court determine how your rights can be restored. (Retain another attorney and file a motion to reinstate any dismissed cases.)

_2__ A belief that it is the duty of the court administrator to provide injunctive relief to prevent construction of an office building. Only the court can do this and only upon proper application and requisite proof. (Not simply writing self-serving, ex parte letters.)

_3__ Our courts are above politics and bias. I resent your implication to the contrary and suggest that you follow the rules and not by ex parte letter-writing attempt to improperly influence the court under the guise of inadequate legal representation.

In closing, you are advised to discontinue writing and calling the court or its staff ex parte. There will be no further response from the court or its staff to such conduct.

Once again, I urge you to seek new counsel. If you are having

difficulty on that score, call the Lawyers Referral Service of the Bergen County Bar Association for assistance. The telephone number is 488-0032.

Very truly your,
(s) Theodore W. Trautein,
Assignment Judge,
Bergen County

TWT/dtc
cc: Dr. Conrad J. Roncati, Trial Court Administrator

BRIEF ON BEHALF OF DEFENDANT-RESPONDENT, CITY OF HACKENSACK

	SUPERIOR COURT OF N. J.
Salvatore Moretti,	APPELLATE DIVISION
Plaintiff-Appellant	Docket No. A-001901-98T2
v.	(Law Div. . BER-L-5678-97)
United Water Resources, Inc., City of Hackensack, State of New Jersey,	ON APPEAL FROM:
Defendants-Respondents	N. J. SUPERIOR COURT LAW DIVISION
	HON. ISABEL B. STARK, J.S.C.

Of Counsel and on the Brief, RICHARD E. SALKIN, ESQ., 50 Main Street, Hackensack, New Jersey 07601, (201) 342-3626, Attorney for Defendant City of Hackensack

PROCEDURAL HISTORY

Plaintiff filed Complaint BER-L-5678-97 on June 17th, 1997. Defendant, City of Hackensack, was served on September 18th, 1998. On September 23rd, 1998, the City of Hackensack filed a Motion returnable October 9th, 1998, to dismiss the Complaint, as to the City of Hackensack, due to a failure to state a claim upon which relief may be granted. Oral argument was presented on October 9th, 1998, before the Honorable Isabel B. Stark, J. S. C. Judge Stark filed an Order dismissing the Complaint on October 14th, 1998. Plaintiff filed a Notice of Appeal on or about November 24th, 1998. Plaintiff served copies of the transcript of the October 9th, 1998 hearing of Hackensack's Motion to this Court and Defendant Hackensack on May 19th, 1999.

STATEMENT OF FACTS

[As this is an appeal from a determination that the subject Complaint should be dismissed for a failure to state a claim upon which relief can be granted R. 4:6-2(e), the facts set forth are those alleged in the Complaint (Pa 149-Pa 170).]

1. Plaintiff is the owner of a twenty (20) unit multiple dwelling located at 391-395 Park Street in the City of Hackensack. Pa. 149-150 (numbered Paragraph 1), Pa. 150 (numbered Paragraph 3).
2. On or about April 2nd, 1997, water services to the multiple dwelling and its occupants ceased due to plaintiff's refusal to pay a significant balance due on his water bill. Pa. 150 (numbered Paragraph 3), Pa. 151 (numbered Paragraph 7), Pa. 154-156 (numbered Paragraph 18), Pa. 156-157 (numbered Paragraph 19).
3. Due to lack of water services to the occupants of the multiple dwelling, relevant officials of the City of Hackensack ordered the premises vacated on or about April 2nd, 1997, Pa. 150 (numbered Paragraph 3 and 4) Pa. 151 (numbered Paragraph 6).
4. Plaintiff alleged excessive property taxation by the City of Hackensack yet disclosed unsuccessful tax appeals before the County Tax Board and the Tax Courts Pa. 151 (numbered Paragraph 6).

POINT I.

THE DISMISSAL OF THE COMPLAINT, AS TO THE CITY OF HACKENSACK, BY THE LAW DIVISION WAS AN APPROPRIATE APPLICATION OF R. 4:6-2(E) AND SHOLD BE AFFIRMED.

R. 4:6-2 provides that a Defendant to a Complaint may, at its option, raise the defense of failure to state a claim upon which relief can be granted prior to filing an Answer. A Court's role in deciding a Motion pursuant to R. 4:6-2 is to examine the legal sufficiency of the facts alleged on the fact of the Complaint. Printing Mart -vs- Sharp Electronics, 116 N.J. 739, 563 A. 2d 31 (1989). The facts pleaded are accepted as true for purposes of the Motion. P & I Auto Body -vs- Miller, 72 N.J. Super 207, 178 A.2d 237 (App. Div., 1962). When the factual allegations are palpably insufficient to support a claim upon which relief can be granted, dismissal by the Court as a matter of law is mandated. Reider -vs- State D.O.T., 221 N.J. Super, 547, 535 A.2d 512 (App. Div., 1987).

Plaintiff alleged, and the City of Hackensack agrees, that when water service to Plaintiff's property was cut off due to Plaintiff's

refusal to pay his water bill, the City of Hackensack ordered the property vacated.

Indeed, not only did the City of Hackensack have a right to order the property vacated; it had a duty to do so. As stated in N.J.S.A. 40:48-2.3 "unfit buildings; police power authorized":

"Whenever any municipality of this State finds that there exists in such municipality any building or buildings which are unfit for human habitation or occupancy, or use due to defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light or sanitation facilities, or due to other conditions rendering such building or buildings, or part thereof, unsafe or unsanitary, or dangerous or detrimental to the health or safety or otherwise inimical to the welfare of the residents of the municipality, power is hereby conferred upon such municipality to exercise its police powers to repair, close, or demolish such building or buildings" (Emphasis supplied).

Not surprisingly, Hackensack City Ordinances also require the provision of a plentiful supply of water to occupants of residential property.

Hackensack City Code Section 114-2B(9) entitled "Enumeration of Nuisances", specifically provides that a nuisance exists under the following circumstances:

"Allowing any building to be occupied as a tenement house, apartment house, dwelling house or factory building without a plentiful supply of pure water suitable for domestic or personal requirements by any person who is responsible for such provisions by reason of ownership possession or agreement or in which the water supply has been turned off for any reason, except to repair faulty plumbing."

Indeed, the Property Maintenance Code in effect in the City, Hackensack City Code Section 100-1 et seq. Entitled AHousing and Property Maintenance (BOCA Property Maintenance Code/1993) provides that with respect to the provisions of a water supply and plumbing facilities:

"...a person shall not occupy as owner occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this Chapter (PM-501.2)".

Whatever the issues between Plaintiff and Co-Defendant, United Water Resources Inc., if any, the City of Hackensack had no choice but to order Plaintiff's property vacated in April, 1997.

Thus, on the "theory" advanced by Plaintiff that the City of Hackensack is in any way liable to him for its action, the Complaint failed to state a claim upon which relief can be granted.

The other theory advanced by Plaintiff in the Complaint is, apparently, one advancing the notion that his property tax assessments, dating back as far as 1976 (Pa.158), and since that time have been excessive (see also Pa. 151, numbered Paragraph 6 and Pa. 167-168, numbered Paragraph 6 and Pa. 167-168, numbered Paragraph 42[sic]), this, it is inferred, advances the argument of inverse condemnation;

As stated by the Law Division when granting the City's Motion to Dismiss:

"Plaintiff asserts over-taxation but has been through Tax Court". Pa. 1

Here, too, Plaintiff failed to state a claim in the Complaint upon which relief could be granted.

CONCLUSION

The Complaint filed in this matter, as it pertains to the City of Hackensack, is deficient. Where decipherable, it is nothing more than a diatribe by a pro se litigant who seems to think that people should live without benefit of water in their homes and that his taxes are too high.

If ever there was a Complaint that R. 4:6-2(e) envisioned as appropriate for dismissal for failure to state a cause of action upon which relief could be granted, it is now before this Court.

The October 14th, 1998 Order entered by Judge Stark in this matter should be Affirmed.

Respectfully submitted,

(s) RICHARD E. SALKIN, ESQ.

Attorney for Defendant, CITY OF HACKENSACK

RESOLUTION 260. Enacted August 17, 1992 by the City of Hackensack states in full, as follows:

WHEREAS N.I.S.A. 26:3-45, et seq. and N.I.S.A. 40:48-2.12, et. seq. authorize municipalities to regulate the use and occupation of buildings and structures so as to prevent and abate conditions therein which are harmful to the health and safety of the occupants of said buildings and structures and the general public in the municipality; and

WHEREAS Section 114-2B(10) of "The Code of the City of Hackensack, New Jersey" declares that allowing a tenement house, or a dwelling house, to be occupied without a plentiful supply of pure water is a nuisance; and

WHEREAS the premises known as Lot 22, Block 418, commonly known as 391-397 Park Street, in the City of Hackensack, is a multiple dwelling containing approximately twenty (20) living units, most or all occupied by residents; and

WHEREAS, according to the tax records of the City of Hackensack, said property is owned by one Salvatore Moretti of 390 Park Street, Hackensack, New Jersey, and

WHEREAS, the Health Officer of the City of Hackensack has advised the Mayor and Council of the City of Hackensack as follows:

1. Water service to the aforementioned property is provided by the Hackensack Water Company.

2. The Hackensack Water Company Account Number for the subject property is: Y 0618519050-1.

3. The present balance due on the subject account is $9,329.62, according to representatives of the Hackensack Water Company.

4. Despite repeated requests by the Hackensack Water Company the owner of the property has refused or otherwise failed to pay the water bill.

5. Between approximately August 10th and August 17th, 1992, the Hackensack Water Company, pursuant to its procedures, caused the water service to the subject property to be turned off. Service was only temporarily reinstated due to

the intercession of the Health Officer of the City of Hackensack and the humanitarianism of the Hackensack Water Company directed to the residents of the property.

6. The Hackensack Water Company, as of the morning of August 17th, 1992, has, again, turned off the water supply to the property due to the non-payment of the bill; and

WHEREAS, the Health Officer of the City of Hackensack has advised that the lack of a supply of water to the residents of the subject property clearly constitutes a condition harmful to the health and safety of the occupants of the subject property and would further be harmful to the health and safety of the general public of the City of Hackensack; and

WHEREAS, N.J.S.A. 40:48-2.12f authorizes municipalities to abate nuisances, correct a defect, or put premises in proper condition at the cost of the property owner so as to comply with applicable ordinances and laws; and to expend public monies for same; and charge such expenditures against the premises; and create a lien against the premises;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Hackensack, as follows:

1. The shutting off of the water supply by the Hackensack Water Company to the premises known as Lot 22, Block 418, commonly known as 391-397 Park Street, Hackensack, New Jersey, due to the non-payment of the balance due on Account Y 0618519050-1, and the resulting lack of the provision of supply of pure water to the residents therein be and hereby is declared to be a nuisance posing a clear and present threat to the health and safety of the residents therein and the community-at-large; and

2. The appropriate City officials be and hereby are, authorized to take all necessary steps and actions to re-establish a supply of water to the residents of the subject premises. Such steps shall include, but not be limited to, the payment of the past due balance to the Hackensack Water Company of $9,329.62 and/or arrangements made between the City of Hackensack and the Hackensack Water Company for the guarantee of payments for future water use at the

subject property on and after August 17th, 1992; and

3. If such payment or any part thereof shall be made by the City of Hackensack, it shall be deemed to constitute a lien on the property. Proof of such payment, as well as a certified copy of this Resolution, shall be presented to the Tax Collector of the City of Hackensack, who shall then cause such amount to be entered as a lien on the property according to law.

HACKENSACK MUNICIPAL JUDGE DINICE - WATER COMPANY CASE TRIED FROM AUG. 19-DEC. 3, 1999.

From August 17, 1992 (Aug 19, & 26) to December 3, 1992, Judge Louis Dinice conducted a series of judicial trials which produced eight transcripts, five of which were finally produced for the appeal court by March 11, 1993, too late for the March 8, 1993 Oral Argument in the Motion to Dismiss to be heard before Judge Harold A. Ackerman, J.U.S.D.C. As a result the trial which concluded December 3, 1993 has unfortunately not been produced in transcript form until over three months later by the trial court. The five transcripts that were produced are dated as follows, (paginated as T, T2, T3, T4, T5-1 etc.):

1. September 2, 1992
2. October 7, 1992
3. October 28, 1992
4. November 4, 1992
5. December 3, 1992

When [Judge Louis] Dinice is confronted with this billing dispute, he does not consider it, and suggests that he may do so and enforce an illegal bill which is already before the superior court law division and on remand from Appellate Judge Kestin. Indeed plaintiff-appellant's arrest was in court while addressing Judge Fitzpatrick in court - clearly a fact issue to consider as to whether Dinice acted outside his jurisdiction. Dinice's comments about the billing dispute

follow: (T9-3)

"Quite frankly, I don't care if you have a bill dispute with the water company. I only care that you provide water."

Upon the advise of the prosecutor, Dinice suggests seizing the rents in order to pay the water bill. (T1.22-8)
The Court: I had suggested various ways the City could go about this. One of the ways I suggested the City go about it, that he's receiving rent subsidy from the county. Why should he get this money on a monthly basis and the city have to pay the water bill?
Mr. Amoroso: Well, the City Attorney, Judge, would move for a rent receiver. That would be the City Attorney's responsibility, to move for a rent receiver and begin.
The Court: Well, why don't you coordinate that with him?

Plaintiff-appellant draws into controversy the bill dispute with Dinice as follows:
(T1.24-25)
Mr. Moretti: I think it's an issue of a fraudulent bill.
The Court: It might be. But it's not an issue for this Court.
Mr. Moretti: It's a fraudulent bill which charges $10,000 in the –
The Court: I don't want to hear about that.
Mr. Moretti: –last few months –
The Court: I don't want to hear about that.

Plaintiff-appellant suggests to Dinice that if the city is genuinely interested in the welfare of the tenants (who cannot pay inflated rents based upon the number of non-payment of rents suits which have been filed - about fifty) it should have filed legal action against the water company, not plaintiff within.
(T1.27-1)
Mr. Moretti: If the water company was proceeding as an independent contractor, it would be sued by the city for

shutting off the water.

Dinice denies this responsibility. He claims that he need not consider the billing dispute at all, but rather merely decide to prosecute on behalf of the water company.
(T3.10-9)
The Court: I will not take into consideration what you owe the Hackensack Water Company...even if you've been bilked by the Hackensack Water Company. I don't care...You're the landlord. You're responsible.

Dinice denies discovery. He states at T1-15.21, "there's no interrogatories and I'm not going to permit interrogatories, all right?"

Dinice denies pendent jurisdiction with the superior court despite the prior filing in the superior court of Moretti v. Hackensack Water Co. and Board of Regulatory Commissioners, Docket No. BER-L-8191-92, nor of his interruption of proceedings while on remand from the appellate division as follows:
(T26.2)
The Court: I think he's got a case pending in Civil Court against the Hackensack Water Company...
Mr. Moretti: You're well advised of that. I'm sure you've received a copy of the motion papers that are returnable in nine days.
The Court: In the Superior Court.
Mr. Moretti: In the Law Division, yes.
The Court: Yeah. Well I have nothing to do with that.
Mr. Amoroso: The Attorney General was here earlier on that today, judge, and advised me that it was going to be dismissed or is dismissed...
The Court: I don't want to hear about what's going on in the Law Division and Appellate Division, All right? I'm going to decide whether you provided water to the tenants.

When plaintiff-appellant examined Fasciano from the water company, the testimony was as follows:
(T3.6.19- Vol 3, p. 6, l.19)

Q: If you take a look at the list for the amount of water consumed (which Fasciano provided the court), can you read the gallon-age for the last seven quarters?
A: Yes...
Q: That's eight hundred and nineteen thousand gallons.
A: Yes.
Q: Yes. Next?
A: The next, four fifteen eight eighty-eight, the following, four twenty-five six one two, the following one million two ninety-eight five twenty-eight, the following three twenty eight ninety-two.
Q: All right. Just looking at the last two that you just read, one million and three hundred thousand, would you say that's approximately a multiple of four to one ratio exists between those two months, between, those two quarters?
A: Approximately.
Q: Okay. And if you take a look at your number four hundred thousand gallons and eight hundred thousand gallons, is that approximately a ratio of two to one?
A: Approximately, yes...
Q: Is that for three full years, thirty-six months?
A: This exhibit?
Q: Yes...
A: Yes...
Q: When you made that (exhibit) up, when you produced that certification did you take note of the amount of water being billed for?
A: Yes...
Q: Would it be approximate, as you look at it, to say that it's six million gallons?
The Court: It sounds right. Go ahead, next question.
(T3.9.9)
The Court: So far, Mr. Moretti, you're wasting the Court's time, so far. You're wasting time, And I'm going to allow you five more minutes of wasting time and then I'm going to cut you off, all right?
(T3.10.11)

The Court: What relevance is all these questions? You know, I'm going to assess you costs in this case because I think this witness' testimony and the questions you're asking this witness are totally irrelevant to the charge before this Court. What you owe the Hackensack Water Company has absolutely no bearing on this case. And I will not take into consideration what you owe the Hackensack Water Company or whether you think you've been overcharged by the Hackensack Water Company, or even if you've been bilked by the Hackensack Water Company. I don't care."

Based upon Dinice's continuing objection to consider any testimony relating to the responsibility of the water company to bill only for water consumed (pursuant to the N. J. Stat. Ann. 48:19-18.1 - "any bill or other statement presented by a person, firm, association, corporation, authority or governmental unit to a customer for water sold or supplied shall have the amount of water sold or supplied stated thereon in gallons or shall indicate thereon that 100 cubic feet of water equals 748 gallons."), Dinice finds plaintiff-appellant guilty, and imposes a fine of $500. Parenthetically, Dinice states at T5.10.9: "What I'd really like to do is I'd like to put you in a room, Mr. Moretti, an apartment for two weeks without water yourself. And then I'd like to see what you would do. But I don't have that power to do that. But that's what I would really like to do, all right? But I'm going to fine you $500, $25 costs." When plaintiff-appellant states that he intends to appeal and requests a stay of the fine due to financial difficulties, Dinice responds as follows: (T5.14.5): "Now I've incarcerated you because you refused to tell me when you're going to pay the $525, Mr. Moretti. And you continue to refuse to tell me. So I'm going to ask you one more time. If you don't answer my question I'm going to sentence you to 45 days for contempt of court. So tell me, when do you anticipate paying the $525?" Unsatisfied with the answer, Dinice orders:

"Forty-five days in the County Jail. Take him into custody."

Plaintiff-appellant states that he has a court appearance in the Superior Court Law Division to attend, whereupon Dinice states (T5.14.23) "I think you're going to be late."

The Defendant municipality John Zisa and City of Hackensack enacted Resolution 260 specifically detailing its position on the water dispute at 391-395 Park Street, Hackensack, and it applies to the period from 1992 to the present:

Source: The Bergen News, Wednesday, August 30, 2000
Page 5.

BC prosecutor actions needs local investigation
By Assemblyman Charles K. Zisa (D-Dist. 37)

AI am compelled to bring to your attention serious issues raised in correspondence from Bergen County Prosecutor William Schmidt and Deputy First Assistant Prosecutor Richard Muti, addressed to Bergen County Executive William Schuber and the Bergen County freeholders.

Mr. Muti makes disturbing allegations about the climate of the Prosecutor's office in a very strongly worded six-page letter, questioning Mr. Schmidt's ability as an administrator or (sic) programs and personnel. Mr. Muti's abrupt and unprofessional termination seems to illustrate his allegations. It is also my understanding that personnel are afraid to disagree or question his actions and decisions, therefore his decision making process is flawed due to this lack of input.

One of my concerns, which is raised in Mr. Muti's correspondence, is Prosecutor Schmidt's outlined use of forfeiture funds to purchase an office building, contrary to the Legislature's intended purpose. These funds should be utilized to defray the costs of investigations and/or the purchase of surveillance and investigative equipment, not for the purchase of luxurious office space for the Prosecutor's office. I have raised this issue in the past and have in fact introduced legislation to address the process of disbursing forfeiture funds. Prosecutor Schmidt's oversight of the

forfeiture program needs to be reviewed, particularly in light of the suggestion that a large amount of funds are being hoarded without a strategic plan for their use.

Additionally, it appears that Prosecutor Schmidt is overstepping the bounds of his office by infringing on operations conducted by local police department. This has resulted in an increase in his staff and has placed a burden on his overall budget. Prosecutor Schmidt's zealousness in overextending the responsibilities of his office is highlighted by assigning personnel to patrol local mall parking lots and the registration of sex offenders under Megan's law with his office than with local police departments as specified by law. Additionally, Schmidt's prevention of local police departments from forming an interagency burglary squad placed an unnecessary burden on his own office staff and budget.

The questionable administration of his office is further illustrated by the fact that in 1999, the Narcotics Task Force investigated 132 cases and made 217 arrests while in com- (continued on page 8) parison during the same year, the seven member Hackensack Police Department Narcotics Division investigated 410 cases and made 313 arrests. My understanding is that he has assigned investigators to a number of other agencies offering little or no benefit to the Bergen County taxpayer. It would seem that his motive for this is so that the Prosecutor's Office can share in the seized assets.

Due to the seriousness of the accusations levels at the Prosecutor and concerns that I have as an elected official and law enforcement officer, I am formally requesting that your office conduct an investigation of the Bergen County Prosecutor's Office, with particular attention to the following areas:

- Conduct a review of overall operations of the Prosecutor's Office and an analysis of job functions.
- Examine the need for the Prosecutor's Office to expend approximately $5 million for a building expansion program.

- Examine the appropriateness of using forfeiture funds to purchase property and conduct an accounting of the fund to determine what funds have been used for in the past.
- Examine Prosecutor Schmidt's conduct with reference to his handling of Mr. Muti's termination and the overall atmosphere in the office regarding the ability of employees to engage in open conversation concerning potential improvement sin the operation of the agency.

I look forward to hearing from you in this regard, and would appreciate your contacting me to discuss this matter.

Editor's note: Assemblyman Zisa's District 37 includes Bogota, Englewood, Hackensack, Fort lee, Leonia, Ridgefield Park, Teaneck. This letter was originally sent to State Attorney General John J. Farmer Jr. And is reprinted here with permission.

The September 8, 2000 edition of the Record, Hackensack, New Jersey page L-1 states as follows:

Zisa fails to ignite probe of Schmidt. Use of criminals' money rule OK.

The state attorney general has rejected a request by Hackensack Police Chief Charles "Ken" Zisa for an investigation into the propriety of a plan by Bergen County prosecutor William H. Schmidt to use funds forfeited by criminals to buy a new office in Paramus.

Zisa asked for the investigation in an Aug. 21 letter to Attorney General John Farmer. The chief, who is also a state assemblyman, said forfeiture funds should be used for investigative purposes and not for the purchase of luxurious office space for the prosecutor's office.

The attorney general found no problem with Schmidt's use of the funds for the building or other projects. Debra L. Stone, an assistant attorney general, said in a two-page letter to Zisa dated August 28, 'We have uncovered nothing untoward in

the expenditure of funds by the Bergen County Prosecutor's Office'.

She also rejected Zisa's request for a wider study of how Schmidt used the funds. 'There is no indication that Prosecutor Schmidt is misallocating resources,' she wrote.

Instead of putting the matter to rest, however, the attorney general's conclusion brought new life to the case, prompting a round of bad-mouthing.

Saying he intended to send alone new information about Schmidt's activities, Zisa on Thursday questioned the prosecu-
[See Prosecutor Page L-3]
or's fitness to serve as the county's top law enforcement official.

The chief cited allegations by Richard Muti, who had been third in command under Schmidt, that the prosecutor misled the county freeholders last year when he outlined the cost of another building purchase in Hackensack. Schmidt denies that.

"I think it all goes to his fitness to serve in that office," said Zisa. "And I think the attorney general should review that."

Schmidt, however, said there was nothing new in Zisa's claims. He said his office had discussed the allegation with the attorney general, who chose to do nothing.

"It's typical Ken Zisa - there is no substance," Schmidt said. "If anybody's conduct should be looked at it's Ken Zisa's".

Zisa's initial request came amid a bitter controversy over Schmidt's plan to spend $7 million to buy and refit a two-story, 56,000-square-foot office building on Eisenhower Drive. About $2.5 million would have come from forfeiture funds.

Schmidt argued that the plan was a cost-effective way to resolve the long-standing problem of cramped and dingy offices at the Bergen County Courthouse. The freeholders approved the plan Aug. 9.

But the issue emerged again six days later when Muti, a Deputy First Assistant Prosecutor, denounced his boss's proposal in a letter to the freeholders. Muti said the plan was a significant waste of public resources.

Muti questioned why Schmidt continued to expand his

office when crime is declining and more and more cases are resolved through plea bargains, which use fewer resources than taking a case to trial. Within hours, Schmidt fired Muti. But his assertion prompted Zisa to seek the investigation by the attorney general. Zisa said Thursday he would renew that request based on allegations contained in a second letter written by Muti that was sent after he was fired to County Executive William "Pat" Schuber.

Among several allegations in that letter, Muti said Schmidt told the freeholders in April 1999 that it would cost about $500,000 to buy and renovate a house on Golf Place in Hackensack for use as a child victim interview center. In reality, Muti said, Schmidt knew that an architect had calculated that the word would cost about $600,000.

Schmidt explained the discrepancy two weeks ago by saying he had scaled back the project before he went to the freeholders. He called Muti's claims "garbage spewed out by an angry, vindictive man."

Complaint Filed April 30, 1998 in Superior Court, Bergen County, N. J. by United Water Resources, a.k.a. Hackensack Water Company (prior name)

JOHN P. WALLACE
216 East Ridgewood Ave.
Ridgewood, New Jersey 07450
Tel: (201) 445-3533
Attorney for Plaintiff,
United Water New Jersey

STAMPED SUP. COURT BER.
FILED APR 30, 1998
JOHN GOODMAN, DEPUTY CLERK

SUPERIOR COURT OF NEW JERSEY
UNITED WATER NEW JERSEY, Plaintiff
v.
SALVATORE MORETTI, Defendant.

LAW DIV.: BERGEN CTY
DOCKET NO. L-4114-98
Civil Action
COMPLAINT

Plaintiff with offices at 200 Old Hook Road, in the Borough of Harrington Park, County of Bergen, State of New Jersey complaining of defendant, says:

FIRST COUNT

1. At all times hereinafter mentioned, the plaintiff was and is a public corporation of the State of New Jersey and a public utility as defined in Title 48 of the New Jersey Statutes.

2. At all times hereinafter mentioned the defendant was and is the owner of premises commonly known as 391-395 Park Street in the City of Hackensack, County of Bergen, State of New Jersey.

3. Between October 14, 1992 and April 16, 1997 the plaintiff provided water service to the defendant at the aforementioned premises and issued bills for such water services to the defendant, according to the rates permitted in the Hackensack Water Company Tariff.

4. Defendant has failed to pay any part of the account now owed to plaintiff, which exclusive of interest, amounts to $15,601.98.

5. Plaintiff has demanded payment of the said amount, but defendant has refused to make payment.

WHEREFORE, plaintiff United Water New Jersey demands judgment against defendant Salvatore Moretti on this Count for damages, together with interest, costs of suit and attorney's fees.

SECOND COUNT

1. Plaintiff, United Water New Jersey repeats the allegations set forth in the first Count of the Complaint as if set forth herein at length.

2. Defendant, Salvatore Moretti is indebted to plaintiff by reason of a certain book account, a true copy of which is annexed hereto and made a part hereof designated Exhibit A.

3. No part of the amount set forth on Exhibit A has been paid by defendant to plaintiff, all to plaintiff's damage.

WHEREFORE, plaintiff, United Water New Jersey demands judgment against defendant, Salvatore Moretti on this count against defendant for damages, together with interest, cost of suit and attorney's fees.

Dated April 28, 1998 (s) JOHN P. WALLACE
Attorney for Plaintiff, United Water New Jersey

CERTIFICATION

The undersigned certified pursuant to R. 4:5-1 that to the best of his knowledge the within matter in controversy is not the subject of any other pending court action or any pending arbitration proceeding, and no such court action or arbitration proceeding is contemplated at this time by the party filing this pleading. The undersigned certified further that the party filing this pleading is not, at this time, aware of any other party who should be joined in the within matter.

Dated: April 28, 1998 (s) JOHN P. WALLACE
Attorney for Plaintiff, United Water New Jersey

On page 25 of plaintiff-appellant's May 18, 1993, the sixty-nine page brief Judge Ackerman objects to, there appears a table of **Eight Comparable Apartment Buildings** showing gallons of water consumed in the prior year, and cost of same in comparison with the subject property, 391-397 Park Street, Hackensack. The table is reproduced below: **(Apartment House Water Consumption)**

COMPARABLE	GALLONS LAST THREE MONTHS	COST FOR THE LAST 3 MONTHS	GALLONS LAST 12 MONTHS	COST LAST TWELVE MONTHS
No. 1	348,606	$1,070	1,257,588	$3,860
No. 2	460,681	1,414	1,396,050	4,285
No. 3	208,512	640	707,132	2,416
No. 4	390,960	1,200		
No. 5	368,154	1,130	1,132,480	3,476
No. 6	231,318	710	700,144	2,149
No. 7	376,299	1,155		
No. 8	214,702	659	1,201,876	3,689
PARK COURT APARTMENTS (ACTUAL)	(THREE QUARTER	AV.)		(ACTUAL)
WaterBills	681,677	$2,060	2,461,000	$7,451

SALVATORE MORETTI
390 PARK STREET
HACKENSACK, NEW JERSEY 07601
(201) 646-1414

U. S. DISTRICT COURT

SALVATORE MORETTI,
Plaintiff
vs.
STATE OF NEW JERSEY, ELLEN KOBLITZ & PUBLIC DEFENDERS OFFICE OF BERGEN COUNTY, BERGEN COUNTY PROSECUTOR JOHN FAHY, HACKENSACK CITY PROSECUTOR HENRY AMOROSO,
Defendants

DISTRICT OF NEW JERSEY
CRIMINAL APPEAL FROM THE JUDGEMENT OF THE SUPERIOR COURT OF N.J.

CASE NO.

JURY DEMAND

PARTIES

PLAINTIFF: SALVATORE MORETTI, PRO SE, 390 PARK STREET, HACKENSACK, NEW JERSEY 07601
DEFENDANTS:
STATE OF NEW JERSEY, ACTING ATTORNEY GENERAL FREDERICK P. DE VESA, OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF LAW AND PUBLIC SAFETY, HUGHES JUSTICE COMPLEX, TRENTON, NEW JERSEY 08625, (609) 292-8740
ELLEN KOBLITZ, DEPUTY HEAD OF THE PUBLIC DEFENDERS, DEFENDERS OFFICE, 60 STATE STREET, HACKENSACK, NEW JERSEY 07601, (201) 996-8030
PROSECUTOR JOHN J. FAHY, JUSTICE CENTER, 10 MAIN ST. HACKENSACK, NEW JERSEY 07601, (201) 646-2300
HENRY AMOROSO, HACKENSACK MUNICIPAL, PROSECUTOR, C/O HACKENSACK MUNCIPAL COURT, 215 STATE STREET, HACKENSACK, NEW JERSEY 07601

JURISDICTIONAL STATEMENT

Jurisdiction of this court is invoked due to violation of plaintiff's civil rights protected under 42 U. S. C. Section 1983. The federal court has jurisdiction because there is a federal

question pursuant to 28 U.S.C. Section 1331, and original jurisdiction in district courts for actions alleging deprivations of federal rights under color of state law, 28 U.S.C. Section 1343 (a)(3).

Plaintiff is the record property owner of a 20 unit apartment house at 391-397 Park Street, Hackensack, New Jersey, the county seat of Bergen County. In the case at bar, Susan Stedtler contracted with plaintiff for the leasing of an apartment, 397-D Park Street, Hackensack, New Jersey, signing a one year lease for that apartment on August 1, 1991 for a term from August 1, 1991 to July 31, 1992, at the term rent of $7500.00. The Bergen County Board of Social Services paid check no. 02006775 dated August 1, 1991 in the amount of $1,562.50, representing one months rent and one months security on the apartment. The Bergen County Board of Social Services subsidized Stedtler's rent in full for the first few months. On December 13, 1991 plaintiff received a letter in re BC-32016, 397 Park St., Apt. D, Hackensack, N. J. stating "enclosed please find a subpoena of the Bergen County Board of Social Services requesting that you supply certain information to us. The subpoena requires that you supply us with the following information: (information requested deals with occupancy of Susan Stedtler's apartment, 397-D Park street, Hackensack), signed by Joseph Varga, Investigator from BCBSS, 216 Route 17 North, 17 Park Office Center, Bldg. A, Rochelle Park, N. J.

On December 29, 1991, plaintiff replied to BCBSS stating that the information did not appear pertinent to the occupancy of the apartment since there was no tenancy shown other than that of Susan Stedtler at 397-D Park Street, Hackensack, N. J.

In the first month of the occupancy of Susan Stedtler plaintiff noted that there were a number of welfare recipients at 391-397 Park Street, Hackensack (known as Park Court Apartments) who were not receiving the supervision which they required to live peacefully at the apartment house. Plaintiff noted for example that Renee Jones was living at one

apartment, 391-G Park Street, and that while receiving BCBSS subsidy, she was experiencing difficulties - landlord tenant action LT-036364-91 was heard on June 21, 1991. A subsequent landlord tenant action was heard on September 4, 1991 before Hon. Ralph A. Polito, J.S.C., in which a judgment for possession was issued effective September 16, 1991 subject to Jones paying $1,931.00. In fact, BCBSS did pay the required amount, issuing check no. 02511042 dated September 4, 1991 for $2,580.00, for R. Jones. By letter of September 3, 1991, BCBSS notified plaintiff that $645.00 per month would be paid on behalf of Renee Jones in Apt. 391-G Park St., Hackensack. In fact, on February 18, 1992 plaintiff filed suit against Jones for $1,307.00. Jones was still in occupancy of Apartment 391-G on April 6, 1992 when a warrant of removal issued.

BCBSS had filed suit in the Chancery Division, Family Part, on behalf of Paula Price of 397-I Park Street, Hackensack, against Raymond Jones, FD-02-652-91-A on August 10, 1990, as to a paternity action naming Jones, who resided with his relative Renee Jones at 391-G Park St.(as well as at 4-70 Rock Creek Terrace, Englewood, N.J.). Paula Price signed a lease for an apartment at 397-I Park Street, Hackensack on November 2, 1988, and resided there with support payments from the Housing Authority of Bergen County. The last payment issued by the Housing Authority of Bergen County (hereafter, HABC) was Check No. 152628912 for $657.00 received October 1, 1991.

Paula Price stabbed Raymond Jones on June 12, 1991, while Jones was staying with his relative, Renee Jones, Hackensack Municipal Court Docket No. C-91-1403, W-0295968 (aggravated assault with a knife). Paula Price was charged with theft on July 4, 1991, C-91-1556, Complaint no. S-0935355 and she was charged again with assault on July 4, 1991, Docket No. C-91-1557 and Complaint S-0935356.

In fact, these difficulties experienced with Jones and Price pertained to others in the apartment complex, leading to non-payment of rent and filing of landlord tenant actions against apartments 397A, 397E, 397F - tenants from each of these

apartments left the building in 1992. In fact, other tenants with good payment histories left as well, but stated to plaintiff that they were not able to continue living in the building under such adverse conditions, namely tenants at 397-C, 397-G, 397-H, and 397-J. Tenants receiving rental subsidy from BCBSS were the victims of reported break-ins by the police at 397-B (Salvatore Moretti vs. Edwina Alexis, et al.,- N. J. Appell. Division Docket No. A-2934-92-T2, opinion filed Nov. 15, 1993 dismissing appeal) and 397-J. One hundred percent turn-over in tenancy occurred in the time period from June, 1991 to November, 1992.

Due to the above noted experiences with BCBSS and HABC subsidized tenancies, and due to the experiences noted in litigation (Salvatore Moretti vs. Zisa, et al., Docket No. 92-4206 appealed to the Third Court of Appeals Case No. 93-5416), plaintiff was required to maintain an on-site office and act in protection of his property interests. He incurred the loss of three years rental from Apartment 391-B Park Street in the amount of $22,500.00, and similarly three years rental of $22,500 from 390 Park Street, Hackensack, totaling $45,000.00.

The financial loss was not the entire loss. Plaintiff was required to maintain security on the premises, and doing so was strained due to the breaking down of the steel door of Alexis (397-B), of Stedtler (397-D), and of other doors at the building. In the case of Stedtler, the break-ins occurred from the inception of her tenancy, due to the ongoing acts of third parties. At move-in, plumbing repairs were required to the toilet in the Stedtler apartment, and while doing repairs it was discovered that Stedtler was not in control of who her visitors were. She was kept in her apartment by a series of illegal entries and on one occasion plaintiff was called upon to physically remove one visitor, who later threw a rock threw her window. The visitor refused to leave after Stedtler he do so and plaintiff was forced to remove the visitor. This uninvited "visitor" later threw a stone threw Stedtler's window, requiring the expenditure of $180.00 to replace three

windows. Another typical incident occurred when plaintiff was changing a light bulb when he noted that a "visitor" to the Stedtler apartment exited from the apartment. The "visitor" approached from behind plaintiff and committed an assault and battery on him on the front lawn, rendering him unconscious. Plaintiff also noted that unwanted intruders banged down Stedtler's front door, leaving the door cracked. It was quite apparent as time went on that Stedtler was being harassed and plaintiff acted in protection both of his property interests and in protection of the leasehold status of Stedtler.

On May 8, 1992, at 10:30 p.m. Susan Stedtler was arrested at 397-D Park Street, Hackensack, in her apartment. She was arrested under Warrants issuing out of the Hackensack Municipal Court, W337667, W374773, W374774, and W337666. Plaintiff requested a copy of the Hackensack Police Report on May 20, 1992. No report was forthcoming. Plaintiff apeared before a Superior Court Judge Gaeta to enforce the subpoena of records dated June 10, 1992 on Stedtler, but Judge Gaeta failed to order the turn-over of the records pertaining to Stedtler. Judge DiGisi reduced bail when Michael Ravin, Esq. 45 Essex St., Hackensack appeared on a bail reduction hearing; the bail was reduced to $7500.00. The charges filed against Stedtler were (1) conspiracy, (2) possession of a Controlled Dangerous Substance, and (3) Distribution of a Controlled Dangerous Substance within 1000 feet of a school.

For the further detailing of the Stedtler matter, plaintiff hereby incorporates that portion of a complaint he filed, Salvatore Moretti vs. Louis J. Dinice and Timothy J. Sullivan, 93-528, U. S. District Court, Newark, N. J., to wit:

Susan Stedtler Case

On December 12, 1992 Susan Stedtler was arraigned before the Hon. Timothy J. Sullivan, J.S.C., before the Superior Court, Criminal Division, Hackensack, New Jersey. The Arrest Warrants issuing out of the Hackensack Municipal Court pursuant to her May 8, 1992 arrest and incarceration were W337667, W374773, W374774, and W337666. The charges were Distributing Cocaine, 2C:35-7; Conspiracy to Distribute

Cocaine, 2C:5-2; Distributing Cocaine to an undercover officer, 2C:35-5(a)(1)(b)(5); Possession of Cocaine with intent to sell, 2C:35-5(a)(1); Distribution of Cocaine within 1000 feet of a school, 2C:35-7; Possession of Cocaine, 2C:35-10. Susan Stedtler was a tenant at Apartment 397-D Park Street, Hackensack (Park Court Apartments) on May 8, 1992. Ms. Stedtler was incarcerated at the Bergen County Jail Annex under $7,500 bail. She was bailed out by plaintiff who was surprised that the Bergen County Board of Social Services had subsidized the Stedtler occupancy of 397-D Park Street, and then abandoned her to such a grim fate - a jail cell - without advising plaintiff of an arrest record or similar problems in her tenancy. This SSI tenant was under leasehold, her apartment term of rent August 1, 1991 to September 30, 1992. BCBSS stopped rental assistance. Stedtler moved during 1992 and was re-arrested on October 1, 1992. Her bail was forfeited and she was re-incarcerated under arrest warrants issuing out of the Hackensack municipal court, W07607-92, and W-07607-93. She was indicted and arraigned by the Bergen County Prosecutor's Office under, Criminal Complaint, S-1788-92-04.

The nature of the pre-trial press coverage is an indication of why her treatment at the hands of the Hackensack Municipal Court, and Bergen County Prosecutor's Office may be suspect:

News Item - The North Jersey Herald & News. Saturday, October 3, 1992:

DRUGS STASHED ON 4-YEAR OLD: Cops Find Coke, Pot on Girl

HACKENSACK - Four alleged drug dealers who purchased several hundred dollars in cocaine and marijuana in New York - and then stashed the cache in the jacket of a 4-year old girl - were nabbed by police yesterday.

The suspects, all city residents, were arrested late Thursday afternoon as they returned to a Second Street apartment complex, said Chief John Aletta. Two narcotics detectives had been alerted to their trip an hour before the four returned from the Big Apple.

Detectives had been informed that the suspects would try concealing the drugs on the child, who is the daughter of one suspect, but Aletta declined to say how police were notified of the incident.

Those arrested included Jefferson Eason, 40, of Second Street; William Eason, 28, of Newman Street; Susan Stedtler, 34, of Union Street; and Tracy Haigler, 27, of East Kansas Street.

Detectives Christopher Toomey and Woody Powell spotted crack pipes and other drug paraphernalia inside the suspects' vehicle as the four pulled into the parking lot of the apartment complex, Aletta said.

The detectives immediately searched the child and found cocaine inside her jacket, Aletta said. The cache, worth several hundred dollars, was wrapped in tinfoil.

The child, daughter of Jefferson Eason, was returned to her mother, Aletta said.

Police charged the suspects with possession of cocaine, possession of drug paraphernalia, possession of marijuana, and endangering the welfare of a child. They were remanded to Bergen County Jail, but bail information was unavailable last night."

The period during which plaintiff was aware of Ms. Stedtler case was accentuated by the actions of the Bergen County Board of Social Services which (under the guise of Ms. Stedtler receiving an over-night guest), cut her off from social service benefits. Those benefits had been as follows:
8/1/92, BCBSS Check No. 02006775, $1,562.50 for Account No. V606430 (equal to one and one-half month's rent as security plus one month's rent. September's rent paid by BCBSS was Check No. 2511158 in the amount of $625.00. October's rent was paid by BCBSS #02514387 for $625.00. November's rent was the final payment received BCBSS #02517975 for $209.00. On December 13, 1992 plaintiff received a Subpoena Duces Tecum with respect to Ms. Stedtler and her having an overnight guest. The Board of Social Services is located at 216 Route 17 North, 17 Park Office Center, Building A, Rochelle Park, NJ 07662-3300. (201)368-4200 FAX(201))368-8721. The Board wrote in re: BC-32016, 397 Park St., Apt. D, Hackensack, NJ 07601.

When plaintiff attended the bail reduction hearing of Ms. Stedtler on May 20, 1992 before Hon. Bruce Gaeta, J.S.C., he was advised as to legal representation by the Public Defender's Office, to wit Michael Ravin, Esq., 45 Essex Street, Suite 102, Hackensack, N.J., and 101 Eisenhower Drive,

Roseland, New Jersey. Ravin immediately stopped representing Stedtler, and the next public defender representing Stedtler both refused to contact associates of Stedtler, and failed to present the results of any of the usual discovery motions in the case. Ms. Stedtler was in need of immediate release and requested bail reduction from her October 1, 1992 bail of $25,000, no 10%.

The difficulty of getting assistance from the court on June 9, 1992 can be seen from the following quotation from a letter to Judge Charles R. DiGisi, J.S. C., Presiding Judge of the Criminal Division of the Superior Court:

"re: Appearance of Counsel To Represent Susan Stedtler. Application by Salvatore Moretti to represent Defendant in Criminal Action presently incarcerated in the Jail at 160 South River Street, Hackensack. Dear Judge DiGisi: On May 21, 1992 I directed a letter to your Honor's attention regarding the Bail Hearing of Susan Stedtler which was held on May 20, 1992. I attended that hearing at which a public defender by the name of Michael Ravin, Esq. represented Ms. Stedtler.

I spoke to Mr. Ravin a number of times and he presently states that he is no longer representing Ms. Stedtler. I also contacted the Public Defender's Office in Hackensack on State Street to determine why Ms. Stedtler was not currently represented. Their answer was that they had no alternative to Mr. Ravin and that they were waiting word as to the determinations of the Prosecutor on the Stedtler matter.

When I inquired of the Jail Records Department and at the County Clerk's Office about the Docket No. of the Stedtler matter, I was advised that if and when I paid bail (10% of $7500), I would get the docket number in the case. My reason for inquiring about the bail was to learn about the surety and forfeiture requirements pursuant to the relevant Court Rules (R. 3:26, R. 3:26-5, etc.). Relevant information was not forthcoming.

I have been advised that Ms. Stedtler is incarcerated under Statutory Violations known as indictable offenses, and that under R. 3:27-1 - Indictable Offenses, 'Every person charged

with an indictable offense shall be advised by the court of his right to retain counsel and to have the Office of Public Defender represent him if he is indigent. If the defendant asserts he is indigent, unless he affirmatively states his intention to proceed without counsel, the court shall have him complete the appropriate form prescribed by the Administrative Director of the Courts and shall refer him to the Office of Public Defender.'

While Ms. Stedtler has been incarcerated in the jail facility on River street, Hackensack for one month, I have been unable during that time to discover the docket number or get a copy of the complaint filed against her. This complaint was apparently the result of a warrant or warrants issued in Hackensack on May 8 or 9, 1992.

The Municipal Court defers to the Superior Court due to the indictable nature of the offense, while the Superior Court claims that the arresting authority made the arrest and secured such documents relating thereto which are subject to discovery. Discovery within the municipal court system has not been forthcoming for the stated reason I am not the party defendant. Meanwhile, the lawyer representing Stedtler claims 'I am not representing Susan Stedtler any longer.' Ms. Stedtler is incarcerated and hence cannot file the papers required nor make the motions required since she is not an attorney, evident from visits in jail I have made to her.

I have made repeated attempts to gather data from the municipal police department but they claim they require that either the defendant herself made the request personally (she is in jail), or that a lawyer representing her made the request). Ms. Stedtler is indigent and her public defender attorney states he does not represent Ms. Stedtler. I have sent several letters to the Hackensack authorities, none of which has solved the above mentioned problems.

As a result of the above stated problems, I am filing an Appearance under Rule 3:8-1. (cc.: County Clerk's Office)."

Plaintiff Salvatore Moretti filed a Notice of Appearance dated June 9, 1992, as follows:

"Notice of Appearance of Legal Representation on Behalf of Defendant, Susan Stedtler, by Salvatore Moretti.

SALVATORE MORETTI, residing at 390 Park Street, Hackensack, New Jersey, hereby under oath states that:

1. I am a graduate of an approved law school of the State of New York.

2. I am familiar with the defendant in the above captioned matter since Susan Stedtler has resided at 397-D Park Street, Hackensack for ten months.

3. I have been in daily contact with her rental files during her period of rental payments since the summer of 1991.

4. I have conferred with her former counsel, a Mr. Michael Ravin, Esq. appointed by the Office of Public Defender and he states he no longer defends her. No alternative counsel has been appointed by the Office of Public Defender.

5. I am aware that Ms. Stedtler requires legal counsel at this stage of the proceedings and since none is available, I make this application to represent her legally myself before the Courts of the State of New Jersey in this Criminal Matter, said complaint being of an indictable nature.

6. This representation I understand to be subject to the approval of the Assignment Judge of the Superior Court in Bergen County, New Jersey, Hon. Charles R. DiGisi.

Dated: June 9, 1992. - Salvatore Moretti

By letter of June 10, 1992, plaintiff directed a letter to the Bureau of Criminal Identification (BCI), Hackensack Police Department, 225 State Street, Hackensack, in re: Susan Stedtler; Case Docket No.'s C92-1586-1595; Warrants W337667, W374773, W374774, W337666, Arrest - May 8, 1992 in City of Hackensack, Address: 397-D Park St., Hackensack, NJ.

Dear Sirs: I require the reports for Police Case #9202233 and #9205369 involving Susan Stedtler who is presently incarcerated in the Bergen County Jail.

On June 11, 1992, plaintiff sent a letter to Hon. Bruce A. Gaeta, Acting Assignment Judge, Room 303, Bergen County Justice Center, 10 Main Street, Hackensack, N.J. in re: Susan Stedtler, Indictment No. Subpoena Duces Tecum of

Bureau of Criminal Identification, Police Reports Nos. 9202233 and 9205369, City of Hackensack, Hackensack City Complex, 226 State Street, Hackensack, NJ, concerning a Susan Stedtler Presently Incarcerated (since May 8, 1992 in the Bergen County Jail, Arrested May 8, 1992 by the Arresting Authority - Hackensack Police Dept., Under Warrants W337667, W374773, W374774, W337666; Hackensack Municipal Cases C92-1586-1595. Heard by Hackensack Judge DiNice. Dear Judge Gaeta: By letter of June 10, 1992 and June 11, 1992, I served Notice on the Hackensack Bureau of Criminal Identification that I required copies of two police reports as above captioned. Both notices were refused, once due to the short-handedness of the police staff, finally due to a refusal to divulge any information without a subpoena.

The warrants were issued on the defendant Susan Stedtler at property owned and managed by myself during my occupancy of said property, the warrants being executed on May 8, 1992 at 10:30 p.m. or thereabouts.

Enclosed find a subpoena duces tecum to produce the requested documents.

The Subpoena Duces Tecum addressed to the Hackensack Bureau of Criminal Identification (BCI) requested Police Report Nos. 9202233 & 9205369, Upon Which Warrants W337667; W374773; W374774; W337666; Municipal Cases C-92-1586 Through C-92-1595."

The Subpoena was served upon the BCI and plaintiff appeared in Court requesting that Judge Gaeta hold the Hackensack BCI in contempt for failure to honor the subpoena. The Judge refused to do so.

Accompanying the Subpoena was an Affidavit, which stated as follows: AFFIDAVIT IN SUPPORT OF SUBPOENA DUCES TECUM ISSUING TO HACKENSACK BCI IN RE STATE VS. SUSAN STEDTLER.

THE PROPERTY OWNER OF DWELLING PROPERTY KNOWN AS 391-397 PARK STREET, HACKENSACK, NEW JERSEY WHEREUPON ISSUED WARRANTS TO CAPTURE SUSAN STEDTLER, 397-D PARK ST. AND INCARCERATE SAME TO BERGEN COUNTY JAIL; AND SAID PROPERTY OWNER TO SECURE REPORTS WHICH SUPPORT THE FINDING OF

PROBABLE CAUSE FOR THE EXERCISE OF SAID WARRANTS, HEREBY DECLARES:

1. I am the property owner of property known as 391-397 Park Street, Hackensack, New Jersey, which property encompasses a dwelling unit known as 397-D Park Street, Hackensack.

2. I rented the Apartment commonly known as 397-D Park Street, Hackensack to a Susan Stedtler during the fall of 1991.

3. I actively manage the property known as 391-397 Park Street, and am fully familiar with the details of operation of said property, including the safety and well being of the inhabitants of said buildings.

4 On or about May 8, 1992 Susan Stedtler was arrested by the Hackensack Police Department and tried by the Hackensack Municipal Court for crime or crimes committed at 397-D Park Street, Hackensack, New Jersey.

5. Said crimes were allegedly committed at or about 397-D Park Street, Hackensack and affect the moral well being of the inhabitants of said apartment project.

6. After three requests for Police Reports issued in the above captioned cases and more particularly described in the Subpoena Duces Tecum which I have prepared, the Hackensack Bureau of Criminal Identification refuses to produce copies of said reports for my inspection.

7. Under these circumstances, I am an aggrieved party and taxpayer on the dwelling premises described as the site at which the arrested party, Susan Stedtler was arrested. Susan Stedtler is a party with whom I have contracted for the payment of rent at 397-D Park Street, Hackensack, New Jersey.

8. I swear that the above statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false I am subject to punishment.

Dated: June 11, 1992. Salvatore Moretti

On June 20, 1992, Plaintiff Salvatore Moretti paid $750.00 bail. The form reads: "Money to be returned only after case is terminated."

On November 20, 1992, Plaintiff addressed a letter to Hon. Charles R. DiGisi, Hon. Bruce Gaeta, Linda Biancardi ofthe Public Defender's Office, Ellen Koblitz, Deputy Public

Defender's Office, Michael Latona of the Bail Unit, and John J. Fahy, Bergen County Prosecutor's Office, in re Susan Stedtler. The letter reads as follows:

"I bailed Susan Stedtler out of the Bergen County Jail June 20, 1992. She was re-arrested on October 1, 1992 and has been placed in the Bergen County Jail Annex. Recently, I appeared before Hon. Bruce Gaeta to advise that I was an interested party in this case, noting that I had even paid the bail; he suggested that I file a paper in order to withdraw as bail sponsor. My purpose in appearing before him was to indicate continuing interest since the original arrest occurred on my property while Susan Stedtler was my tenant and the arrest was in the apartment-home of Ms. Stedtler.

Plaintiff has established an office on the site (of the arrest), an apartment house located at 391-397 Park Street, Hackensack, and noted that several instances have occurred in which both lack of police presence and unwanted police presence (warrantless searches) have interfered with the management of the subject premises.

As an apartment manager-owner plaintiff not only pays a huge tax bill, he also is in charge of the operation of the daily life at the building and is paid only if it is habitable - that is his job.

The Fourth Amendment to the Constitution insures a safe home for American citizens, and the invasion of the home by undesirables is not allowed under the leasehold which plaintiff required at his building.

The most recent arrest (also by the Hackensack Authorities) involves the refusal to admit to 10% bail and increased bail amount from $7500 (the prior bail to release from incarceration), to $25,000. In May, 1992, plaintiff attempted to communicate with Michael Ravin, Esq. who briefly represent Susan Stedtler, but found that he refused to handle the Stedtler matter. Most recently plaintiff contacted Linda Biancardi who has been assigned to represent Ms. Stedtler, but found that she has not attempted to get reduced bail or to secure the other relief required by Ms. Stedtler. Incarceration at the Jail Annex

on River Street is short term, but Ms. Stedtler has been there from May to July, 1992, and October to March, 1993.

Ms. Stedtler was arrested with three others and all three have been released, leaving only Ms. Stedtler in the jail annex. While the charges appear to be serious, the site of the arrest, the apparent lack of probable cause, and the failure to secure police protection in the subject neighborhood, coupled with admission of bail to some but not others suggest to me that plaintiff visit Ms. Stedtler.

When plaintiff did so on November 18, 1992, plaintiff was refused admittance by Officer Lopez. Under these circumstances, plaintiff is appending several letters thus far addressed to the courts in this case for your attention.

The order plaintiff seeks would allow for the Bergen County Board of Social Services to pay back rent and cover costs of Ms. Stedtler's current rental while plaintiff pursues remedies both in the United States District Court relating to this and other matters and in the State court system."

On December 11, 1992. Susan Stedtler was arraigned. Plaintiff received notice as bail sponsor and filed papers with the court returnable on the day of the arraignment. The papers attempted to preserve the rights of Susan Stedtler, recognizing that she had spent a number of months in jail, (presumably from May 8 to December 11, 1992 more time in jail than out) and that her appointed Public Defender was working under a load of many clients with little money for research on each file-client. Plaintiff wrote: "Salvatore Moretti, Bail Sponsor, hereby moves to join the above captioned action as a party in interest pursuant to R. 3:15-1(a) and (b) - Permissive and Mandatory Joinder involving two or more indictments or accusations tried together, involving two or more defendants, involving the threat of separate trials for multiple criminal defendants based on the same conduct or arising from the same episode.

Salvatore Moretti, Bail Sponsor, hereby moves as an aggrieved party - aggrieved by the loss of bail moneys due to the action by the State of New Jersey taken as a result of an alleged violation of N.J.S. 2C:35-7 - in which said defendant

has the affirmative defense of being arrested within her apartment, 397-D Park Street, Hackensack, New Jersey 07601 where the alleged crime(s) took place - said affirmative defense granted pursuant to the Statutory language of N.J.S. 2C:35-7.

Salvatore Moretti, property owner of residential apartment property situated at 391-397 Park Street, Hackensack, New Jersey hereby moves as the lessor who leased to Susan Stedtler, 397-D Park Street, Hackensack, New Jersey, against the State of New Jersey for breaking and entering into said leased property and conducting an illegal arrest and seizure, thusly initiating prosecution of Susan Stedtler, the defendant within. Said search and seizure, and arrest deprived Salvatore Moretti of the leasehold interests to said lessor-lessee contractual agreement.

Salvatore Moretti, resident and property owner of 390 Park Street, Hackensack, New Jersey, hereby moves for a temporary restraining order on the arraignment of Susan Stedtler due to the refusal to allow the defendant to be bailed out of incarceration from the Bergen County Jail Annex, 160 South River Street, Hackensack, New Jersey where she has been incarcerated since October 2, 1992 subsequent to the arrest on October 1, 1992. Said arraignment scheduled for December 11, 1992 is meant to compel the defendant to plead guilty to a criminal complaint lodged against her due to the long term commitment (in a short term jail facility). This refusal to allow defendant Susan Stedtler to pay bail prior to trial, is in derogation of defendant's CONSTITUTIONAL RIGHTS TO BAIL.

Bail Sponsor Salvatore Moretti hereby moves to join this action pursuant to the above causes of action which are supported by an Affidavit attached hereto and made a part hereof."

Dated: December 10, 1992. Salvatore Moretti

"Certification in Support of Order to Show Cause by Bail Sponsor:

4. I requested a copy of the complaint after I received the above information from the Criminal Case Management Unit at Room 134, Michael Latona, on 5/20/92. In my 5/20/92 letter to the Hackensack Police Dept. I stated that 'Since I manage these apartments, I am concerned about the nature of the warrants and their exercise...the Rules of Court provide R. 3:2 - the complaint (a written statement of the essential facts constituting the offense charged made under oath before a judge or other person empowered by law to take complaints) 'shall be served on the defendant at the time of service of the summons or execution of the warrant.' I would like a copy of the complaint. If this is included within the 'green paper' kindly advise.

(Plaintiff as of this date has yet to receive a copy of the complaint.)

10. As a result of the defendant's apparent abandonment by the Public Defender's Office with the refusal of Michael Ravin to represent Ms. Stedtler, I attempted to secure her legal representation myself, such representation available among many programs for graduates of law school preparing for the bar, etc. I submitted the following certification...

14. I have spoken to Ms. Stedtler's mother and family since May, 1992 relating to her being in jail and numerous other matters relating to her being released on bail, and her case.

15. As the foregoing proves, I have submitted documents to the court throughout 1992 and it is my conviction that by refusing to grant bail in the instant matter and securing her release so that Ms. Stedtler could attend court sessions while in good health, her decision to plead at the arraignment may well be secured through intimidation by the State and its representatives. I base that conclusion on the fact that Ms. Stedtler's current attorney of record, Linda Biancardi, has refused to return my calls and to speak to me about the defendant's case, even though I was the bail sponsor. Ms. Biancardi undoubtedly has a busy schedule, and simply has not been able to file the court papers required herein, such as a motion to suppress, motion for bail reduction, etc.

16. As a result of the foregoing, Bail Sponsor hereby moves that at the Arraignment of Ms. Susan Stedtler, her rights be preserved to plead innocent, that she be released on her own recognizance, and that she be provided with a safe home during the Christmas Holidays of 1992, in accord with her wishes."

Dated: December 10, 1992 (s) Salvatore Moretti

On January 14, 1993, Salvatore Moretti filed a Motion seeking an Order of Dismissal, with Sanction for Refusing to Provide Discovery. Quoting from the Brief in Support of the Motion in relevant part, there follows:

POINT ONE.

THE PROSECUTOR'S OFFICE HAS FAILED TO PERMIT DISCOVERY IN THE WITHIN CAUSE OF ACTION.

"Salvatore Moretti, an aggrieved party in the within cause of action, has appeared before Judges DiGisi, Gaeta, and Sullivan on numerous occasions pertaining to the within cause of action. In so doing, he has supplied the court with requests for discovery and has copied in the public defender's office. He has supplied subpoenas for signature and all other forms normally sufficient to provide discovery, without avail. He appeared before Judge Gaeta with Subpoena Duces Tecum to be served upon the Hackensack Police Department, the arresting authority, with the accompanying affidavit which declares as follows:

6. - ...BCI refuses to produce... The Judge(s) handling the matter at that time merely passed by this application (to represent Stedtler legally) for assistance and the necessity which required it, namely that no Motions to Suppress Evidence were made, no Motion to Dismiss was made, no Motion to Reduce Bail was effectively made, showing that the defendant is on disability, SSI, so that a $25,000 bail is too high for her to make, and hence effectively resulted in a denial of bail. No Motion for the Appointment of individual lawyers was made so that each of the four defendants would have appointed to them separate counsel. No Motion was made instructing that the "Long Stay" in jail at the Bergen County

Jail Annex would not in effect be a finding of guilt Susan Stedtler has been in jail from January 1992 until January 1993 with only brief times out of jail. Ms. Stedtler's treatment in jail has deteriorated due to the failure of her present lawyers supplied by the Public Defender's Office. That office has failed to provide assistance to the many visitors who have come to the jail and called her (Ms. Stedtler) to offer assistance.

POINT TWO.

SUSAN STEDTLER IS ENTITLED TO HABEAS CORPUS PROTECTION, SINCE HER CONSTITUTIONAL RIGHTS TO THE PRESUMPTION OF INNOCENSE AND EFFECTIVE LEGAL REPRESENTATION HAVE BEEN DENIED.

Susan Stedtler has been illegally confined in the Bergen County Jail Annex for almost a year, without a trial, and without effective legal representation. As an aggrieved party, Salvatore Moretti has not only bailed her out of jail in June, 1992, but visited her over twenty times and provided the Public Defender's Office adequate notice so that normally they should have responded - if they were active in Ms. Stedtler's legal representation. Not one phone call came back from any public defense lawyer attempting to interview Salvatore Moretti or any other friend of Ms. Stedtler in that one year's time.

Not merely has discovery been denied due to the refusal to consider any papers supplied to the courts, but Ms. Stedtler's complaints of conditions of her imprisonment have been ignored. She has stated repeatedly that third persons were harassing her in jail; the public defender's office and the prosecutor's office have looked the other way.

Salvatore Moretti has been denied visiting privileges repeatedly by the Hackensack (Hackensack was the arresting authority of Susan Stedtler) Municipal Judge who kept him waiting in his courtroom for six or more hours while the judge went through the entire calendar, only to conclude by saying at 2 p.m., 'well I'm finished for today, you will have to come back another day, we'll notify you.' On other occasions, the judge merely fined Salvatore Moretti on non-existent causes of

action, and then discovering that an appeal would be taken, incarcerated him in the Bergen County Jail Annex, the same facility used to detain Susan Stedtler. Then, visiting privileges were taken away since Salvatore Moretti was a former inmate, albeit for a matter of hours on a fine for a housing ordinance-regulation.

As a result, Ms. Stedtler was confronted with the spectacle of Salvatore Moretti (at the arraignment before Judge Sullivan on December 11, 1992) being told to 'hire a lawyer but not in criminal court, in civil court', fresh from incarceration himself, and in addition, told to 'leave the courtroom.' Rights were imperiled. This is typical of the actions complained of.

In addition, the trial date was both hidden from Salvatore Moretti so as to insure that he not be present, and interfering objections were made by her public defenders, who openly refused to discuss the case with anyone, including Salvatore Moretti. The legal papers Moretti submitted for the arraignment of Susan Stedtler were not discussed at the arraignment, and in fact, a new lawyer - D. Baer, was asked to represent Stedtler further confusing the matter.

On November 20, 1992, Salvatore Moretti...asked...to be provided with updated documentation and dates on which he could appear for the defense.

POINT THREE.

SALVATORE MORETTI IS AN AGGRIEVED PARTY UNDER THE RULES OF COURT OF THE STATE OF NEW JERSEY.

Salvatore Moretti is an aggrieved party in the within captioned criminal lawsuit. The law is settled in this jurisdiction and the below cited rules set forth an entitlement which requires adjudication. Pressler: Current New Jersey Court Rules, Comment R. 3:5-6: 'The practice prior to the 1973 amendment of the rule was the complete confidentiality of the warrant and supporting documents and the requirement that a person claiming to be aggrieved by an unlawful search and seizure, whether or nor already a defendant, apply to the court on notice to the prosecutor for the right of inspection. The Supreme Court Committee on Criminal Procedure, in its general reconsideration of the discovery rules, concluded that

a defendant should be automatically entitled to discovery of executed warrants and other supporting documents in the post-indictment situation. The Committee, however, further recommended that in the pre-indictment situation, a person claiming to be aggrieved by an unlawful search and seizure be entitled to discovery of the warrant and the supporting documents only on application. See, generally, Report of the Supreme Court Committee on Criminal Procedure, 96 N.I.L.J. Index Page 449 (1973). It should be further pointed out that even in the pre-indictment situation, the right of an aggrieved person to discovery has been liberally construed. See In re Search of C. Co. Premises, 115 N.J. Super. 262 (App. Div. 1971), which held that while all or a portion of the supporting affidavit might justifiably be withheld in an exceptional situation, the prosecutor must show good cause for such withholding or deletion in open court and in the presence of the applicant.

In this case, not only was Salvatore Moretti the neighbor and landlord of Susan Stedtler, but he was familiar with the history of legal problems in Hackensack prior to Ms. Stedtler coming into the city. As a result, he was familiar with the actions of the municipal courthouse, and the legal ramifications of the statute, which speaks in terms of an invasion of the apartment-home of the defendant as being a mitigating circumstance which should be examined.

CONCLUSION

FOR THE REASONS HEREINABOVE SET FORTH, SALVATORE MORETTI, AN AGGRIEVED PARTY, HEREBY APPLIES FOR DISMISSAL OF THE WITHIN CRIMINAL CAUSE OF ACTION AND THE GRANTING OF SANCTIONS AGAINST THE PROSECUTOR'S OFFICE.

DATE SUBMITTED: JANUARY 14, 1993, (s) Salvatore Moretti

Indictment No. S-1642-92 charges in three counts that: Susan F. Stedtler and Mark J. Smith: Count One - "on or about Jan. 25, 1992, in the City of Hackensack, in the County of Bergen aforesaid, and within the jurisdiction of this Court, did

violate NJS 2C:35-5a by knowingly or purposely distributing a controlled dangerous substance, namely COCAINE or its analog, to an undercover agent of the Hackensack Police Department and did so while on school property used for school purposes which is owned by or leased to an elementary or secondary school or school board, or while within 1,000 feet of any school property or school bus, or while on any school bus, specifically Hackensack Middle School, 360 Union Street; contrary to the provisions of NJS 2C:35-7, and against the peace of this State, The Government and dignity of the same.

Count Two.

"On or about January 25, 1992, Mark J. Smith and Susan F. Stedtler in the City of Hackensack, ..did knowingly or purposely distribute a controlled dangerous substance, or its analog, namely COCAINE, a derivative of coa leaves, to an undercover agent of the Hackensack Police Department, contrary to the provisions of NJS 2C:35-5a(1) and NJS 2C:35-5b(3), and against the peace of this State, the Government and dignity of the same.

Count Three

Same Date - possession of cocaine. Counts one and three were dismissed on the state's motion. On June 7, 1993, after being incarcerated for one year, Stedtler plead guilty. On July 2, 1993, the state dismissed counts one and three. However, Count two drew five years probation with condition of completing an 18 month drug program to run concurrent to S-1788-92-04 and S-360-93-01.

Judge Timothy J. Sullivan statement of reasons for the sentencing are: "these are the defendant's first indictable offenses and there is a presumption against incarceration. She is a risk to repeat and there is a need to deter her and others. The mitigating factors are 7, 10, and 12. The aggravating factors equal the mitigating factors."

As to Mark J. Smith, the reports indicate that it is his 6th arrest and 3rd conviction...This is his 2nd drug conviction within 1000 feet of a school...There are no mitigating factors."

The Pretrial Order dated February 1, 1993 and signed by

Judge Sybil Moses (S1642-92-01) states that all pretrial discovery has been completed except for 1000 foot issue (map, etc.) - 10 days; all pretrial motions have been considered and disposed of except for Sands, Wade. On May 3, 1993, the pretrial order signed by Hon. T. J. Sullivan, J. S. C., (S1642-92-02) state that all pretrial motions have been considered and disposed of except for Sands, Wade, Severance, and Sequestration. The parties shall be ready for trial on May 3, 1993.

An additional indictment against Susan Stedtler is S-1788-92-03, Count One charges violation of 2C:35-10A.1 Possession of CDS - Cocaine; Count Two charges violation of 2C: 24-4A - Endanger welfare of a child. Attorney for the defendant is shown to be Linda Biancardi, Esq. of Public Defenders, 60 State St., Hackensack. A guilty plea was entered by Susan F. Stedtler on May 3, 1993. Count One drew a sentence of July 2, 1993 of "five years probation with the condition that defendant enter and complete an eighteen month drug program as soon as a bed is available. Additional conditions: attend counseling at Bergen Regional; attend NA meetings. Defendant is to receive credit for time spent in custody (R. 3:21-8 181 total number of days) from 10-1-92 to 3-29-93. Count Two and Hackensack W76-793 dismissed on state's motion. Indictment No. S-1788-92 states that "the grand jurors of the State of New Jersey, for the County of Bergen, upon their oaths present as a FIRST COUNT that WILLIAM E. EASON, JERRERSON EASON, TRACY A. KERBER a/k/a Tracy A. Haigler and SUSAN F. STEDTLER, on or about October 1, 1992, in the City of Hackensack, in the County of Bergen aforesaid, and within the jurisdiction of this Court, did knowingly or purposely possess a controlled dangerous substance, or its analog, namely COCAINE; contrary to the provision of NJS:35-10a(1), and against the peace of this State, the Government and dignity of the same.

On April 5, 1993 Genevieve M. Allard wrote a letter as an Assistant Prosecutor in the Office of the County Prosecutor, County of Bergen, Hackensack, N. J. 07601 to Judge Sullivan,

as follows: "Please accept this letter brief in lieu of a more formal brief in opposition to defendants' motion for suppression of evidence. STATEMENT OF FACTS. On October 1, 1992 at approximately 3:15 p.m. Detective Toomey of the Hackensack Police Department received a phone call from a confidential informant advising him that two black males and two white females with a baby girl had left 279 Second Street in a brown Pontiac Grand Prix, bearing N.J. license plate HTY-36H, heading into New York City. The purpose of the trip was to purchase cocaine in New York. The informant told the detective that these individuals would return from New York at approximately 3:30 p.m. Based upon this information the detective set up a surveillance of 279 Second Street to await for the arrival of the Pontiac Grand Prix. At approximately 4:00 p.m. the Pontiac was observed pulling into the driveway of the aforementioned address.

At this time Detective Toomey and Detective Powell approached the vehicle while all occupants were still in the vehicle. Detective Toomey observed in plain view on the back seat floor of the driver's side, two glass smoking pipes, screens, EZ wider rolling papers, and two small glassine bags containing trace amount of what appeared to be marijuana. At this time all four occupants were placed under arrest. The occupants were subsequently determined to be William Eason, Jefferson Eason, Tracey Kerber and Susan Stedtler. After removing the adults the detective removed the child from the vehicle and retrieved from her right coat pocket a folded piece of tinfoil which contained a white rock like substance believed to be crack/cocaine..."

Linda Biancardi of the Public Defender's Office is listed as Susan Stedtler's attorney. The statement of reasons for the sentence is that "these are the defendant's first indictable offenses and there is a presumption against incarceration. She is a risk to repeat and there is a need to deter her and others. The mitigating factors are 7, 10 and 12. The aggravating factors equal the mitigating factors. (dated 7/7/93 - Timothy J. Sullivan)." A Drug Enforcement and Demand Reduction

penalty of $1,000 is imposed for this third degree crime on Susan Stedtler.

Indictment number S-1788-92 date of hearing March 1, 1992 shows that the defendant is held in jail and requests a Sands hearing, a suppression hearing - auto, and sequestration of witnesses. No dismissal of the indictment is requested, no Miranda hearing is checked off the list, no Wade hearing, no severance hearing, no voluntariness of statements (not confession) is checked off, no insanity checked off, no stipulations are attached, no defenses are checked off, such as alibi, diminished mental responsibility, entrapment, self-defense. This list was completed by Linda Biancardi and dated February 22, 1993.

A third indictment is S-360-91-01. The state of New Jersey Standard Conditions of Adult Probation show Probationer Susan Stedtler case file S-1642-92-02, S-1788-92-04, S-360-91-01 to have resulted in a probationary period of five years, with $150 to the VCCB, $150.00 to the FLF, and $3,000 to the DEDR. Driver's license is suspended for 2 years, etc.

It is remarkable that despite attending fifteen hearings before Judges Charles R. DiGisi, Judge Bruce A. Gaeta, Judge Timothy J. Sullivan, Judge Sylvia R. Moses, after filing habeas appeals with the appellate division of the state court system and with the United States District Court in Newark, after numerous letters to the public defender's office, plaintiff was never made a fact witness on behalf of Stedtler. Even more extra-ordinary is the fact that the public defender's office avoided any and all interviews with defense witnesses. As a result, the defendant Stedtler was hopelessly depressed, remaining in jail, without affordable bail, and with no visitors.

In February, 1993, Ellen L. Koblitz, deputy-head of the public defenders office, was elevated to a judgeship, 133 New Jersey Law Journal 651, and plaintiff appeared before her on at least six legal matters. Koblitz fined plaintiff in one case $2,000 under the frivolous litigation statute for seeking rent from a tenant who had been on subsidy assistance for one year, but who remained a tenant while appealing to the Dept.

of Human Services for an extension. In another instance, plaintiff was advised that he was not able to claim over-billing by a utility which admitted that it had been unable to read his meter due to an electronic malfunction. In another case, a man who had not paid his rent for sixteen weeks was allowed to remain on premises rent-free. In this case, on November 12, 1993, Judge Ellen Koblitz ordered plaintiff thrown out of court at 6:00 p.m. after waiting four hours - plaintiff had testified that he was struck in the head from behind by a bat-wielding "visitor" of a tenant on June 19, 1993 at 6:45 p.m. in front of 391 Park Street (10 feet from where he had been knocked unconscious by an uninvited "visitor" to the Stedtler apartment, 397-D. Koblitz warned not to mention this.

Other indications of judge bias occurred which suggested that the disciplinary rules for lawyers were breached and that the use of privileged information gathered from long term incarceration in jail was now employed to harass plaintiff - Koblitz replaced Judge Ralph Polito as presiding judge of the Special Civil Part, which hears landlord-tenancy actions. The rules of professional conduct for consecutive representation as state employees transferring to judicial positions in which the same apartment house is in litigation applied, as well as the code of judicial conduct.

Aggravating the foregoing was the fact that plaintiff was arrested on April 14, 1993 by the Hackensack Police Department when he went to pick up a transcript on the utility dispute before the Hackensack municipal court. Released by the county jail, Stedtler was apparently prevailed upon by the municipal police to sue for theft (S659173 & S659174) of $750.00. Stedtler's unpaid rent was $3,125.00, plus $189.24 glass breakage - in her bedroom, plus $100.00 cash receipts from jail visits, plus plaintiff had advanced $750.00 to secure her release. Stedtler's complaint was dismissed when she did not appear to prosecute.

Appeals to the State Advisory Committee on Judicial Conduct proved fruitless against Koblitz. The constitutional violations of Stedtler's rights carried over to the property

management, as other cases arose, such as that involving the adjacent apartment, 397-B, in which equipment was installed to catch drugs in case of a raid - the steel dead bolted door was knocked down by the combined police and fire departments, Salvatore Moretti vs. Edwina Alexis, Hackensack Police Department, and Hackensack Fire Department, A-2934-92-T2, case dismissed November 15, 1993 by the New Jersey Appellate Division.

The facts shown above prove that the constitutional right to trial by jury was by-passed, that defendant Stedtler was imprisoned under a statute which specifically exempted arrest in the home. The coincidence of the fact that Stedtler's rent was paid by a subsidy agency within 1,000 feet of a school should have clued the authorities in to the fact that she was entrapped. She was lured to the site by free rent - just as plaintiff was lured to rent to her - single woman, no kids, no problems, guaranteed rent. Free rent turned into one year "free rent" in jail plus five years probation, $3,000 in fines, and loss of driving privileges for two years.

Stedtler was imprisoned under a statute which specifically requires jail sentences for narcotics offenders, despite the social milieu in which law enforcement is seen as in favor of those with middle class backgrounds and against the urban poor.

The summary dispossess statute in New Jersey does not provide for tenants to secure protection from homelessness when such homelessness results from economic circumstances beyond their control. Why should not the law pay landlords who house tenants whose economic viability is destroyed by ill-health, by civil-disability, or by lack of training - training which is mandated by the federal social security acts.

As to ineffective assistance of counsel, how can a single woman on S. S. I. - due to health reasons - secure effective assistance of counsel while imprisoned in jail, and while her only effective link is hampered by authorities who refuse to return phone calls, letters, etc. As to state remedies, while they may exist in theory, in practice they were not provided in the

several instances of appeals recounted above.

THE COMPLAINT

PLAINTIFF, SALVATORE MORETTI, by way of complaint in this cause of action, hereby declares:

COUNT ONE

1. On or about August 1, 1991, the defendant State of New Jersey conspired to secure funds from the Bergen County Board of Social Services for the rental of Apartment 397-D Park Street, Hackensack, New Jersey, at plaintiff's apartment complex. The rental was to Susan F. Stedtler, with whom plaintiff met August 1, 1991 for lease signing. Stedtler's apartment is twenty-five feet from plaintiff's apartment in the building, and the windows look in on each other across the court-yard.

2. The arrest of Stedtler on May 8, 1992 after an investigation by the authorities came after a number of assaults on the premises described in the jurisdictional statement attached hereto. The harassing of Stedtler by uninvited visitors was all too frequent, and Stedtler asked for assistance on numerous occasions to prevent problems. It is apparent that some of these uninvited "visitors" were informants used by the several defendants named within in order to precipitate the violation of the drug laws, most prominent being N.J.S. 2C:35-5a (sale of CDS within 1000 feet of a school); in fact 397-D Park Street is within 500 feet of three churches, two mortuaries, three schools, one railroad depot, and within a few blocks of the Hackensack Police Station, and the Bergen County Jail Annex, and the Bergen County Court House itself. Description of the acts complained of as within 1000 feet of a school are misleading, and did mislead and strike fear in all who attempted to handle matters in this case, including plaintiff. In addition, the statute above named provides that arrests within the home are to be narrowly construed, but the several defendants failed to consider the statute, acting instead in derogation of the peace of the State.

3. Among the criminal acts described by the State is the

conspiring with John Wright to sell a controlled dangerous substance (hereafter, CDS) to an undercover agent on February 27, 1992. Stedtler and John Wright are charged with the sale in Indictment no. S-360-93, said sale taking place within 1000 feet of the Hackensack Middle School, 360 Union Street, not to speak within 500 feet of several other schools. Also complained of is possession of a CDS [N.J.S. 2C:35-5a(1) and N.J.S. 2C:35-5b(3). Another indictment, S-1642-92 alleged Stedtler acted contrary to the law with Mark J. Smith on January 25, 1992. In fact, the allegations of the state are false, and the above two searches and seizures provided the basis for the third complaint in which Stedtler was arrested on Second Street, in Hackensack on October 1, 1992 (in a car) S-1788-92.

4. As a result of the harassment of Stedtler by "visitors" and "informants" who broke into her apartment, as well as the guilt by association visited upon Stedtler by the likes of Paula Price (a welfare recipient, who stabbed Raymond Jones on the apartment site after a rape), Stedtler has been victimized by the defendants within, notably the Hackensack Prosecutor Amoroso and the State of New Jersey.

5. Stedtler was arrested May 8, 1992, at 10:30 p.m. and placed in the Bergen County jail. From that time she spent the better part of the next twelve months locked in that jail in POD-C. The jail is about 2,000 feet from Apartment 397-D Park Street, and it was in the jail Stedtler associated with the prison population for over two months before her high bail could be paid by plaintiff within. Stedtler was re-arrested on October 1, 1992 and kept in jail until March, 1993, despite the constitutional violation of her right to speedy trial and right to secure release through affordable bail. The arrest on October 1, 1992 was the fruit of the illegal search and seizure which occurred while Stedtler was a tenant at plaintiff's apartment house between August 1, 1991 and May 8, 1992. Stedtler was given credit for jail time of 183 days.

6. Wherefore plaintiff demands $35,000 for lost rent suffered due to the arrest and incarceration by the defendants, and for

the efforts expended to secure her release.

COUNT TWO

7. Plaintiff repeats the allegations of the first count of the complaint as if set forth herein and at length.

8. Plaintiff contacted the several defendants named within through the filing of motions in the Superior Court of New Jersey, the United Stated District Court in Newark, the Appellate Division at 25 Main Street, Hackensack, etc., said motions to suppress evidence, habeas corpus, motion to dismiss, etc.; it is noteworthy that on February 23, 1993, the Appellate Division Judge Kestin in Hackensack denied plaintiff's motion to dismiss the complaint against Stedtler, due to plaintiff's not entering an appearance as Stedtler's lawyer, etc., from which denial plaintiff herein appeals.

9. The several defendants within had full knowledge of the defenses to the crimes allegedly committed by Stedtler, but chose to ignore that information, preferring to hold Stedtler in prison until she confessed; in fact Stedtler was kept in a prison-like state from the time she became a tenant at 397-D Park Street, Hackensack on August 1, 1991, until she was released from jail in March, 1993, a period of twenty months. Her residence at Park Court Apartments, 397-D Park Street, Hackensack was without any of the privileges of a tenant to come and go as she pleased, she had no car, and she was badgered by tenants here whose rent was paid for and who were free to come and go as they pleased. This long term incarceration, 183 days as computed by Judge Timothy J. Sullivan, deprived Stedtler of a speedy trial, and produced, of necessity a guilty plea with a requirement that she testify against her "co-conspriators." She simply was not released until she cooperated, a period of over six months, or a period of twenty months depending on your method of computation.

10. Ellen Koblitz, who reputedly represented Stedtler as head of the public defenders, never contacted plaintiff at any time during this period of time with regard to the circumstances stated within in order to assist Stedtler in her legal defense.Stedtler was confused by the delays encountered with the authorities in processing her case. As a result, plaintiff suffered along with Stedtler a loss of reputation.

11. Wherefore, plaintiff demands $125,000 in damages due to the acts described herein.

The Record, Hackensack, New Jersey, August 24, 1999
French Buyer Taking over United Water
Operation to remain in N.J. after $1.8 B Sale is Finalized
By Kevin G. DeMarrais, Staff Writer

North Jersey's largest water company is getting a French owner.

United Water Resources, which has provided drinking water to thousands of North Jerseyans for 130 years, announced Monday that Suez Lyonnaise des Eaux is buying it for $1.8 billion.

Paris-based Suez Lyonnaise, which already owns more than 30 percent of the former Hackensack Water Co., said taking full control of the utility would give it the financial power needed to compete more effectively in an industry undergoing worldwide consolidation.

The sale is expected to have little impact on United Water's 7.5 million customers, including 1.5 million in New Jersey. United Water provides service to the majority of residents in Bergen county.

Rates and operations will continue to be overseen by the New Jersey Board of Public Utilities. United Water, based in Harrington Park, will continue to operate under its current leadership, led by Chairman and Chief Executive Officer Donald Correll.

United Water will become a wholly owned subsidiary of Suez Lyonnaise, while retaining its management team, name, and corporate identity, according to terms of the sale.

The agreement must be approved by shareholders of both [See purchase Page A-5] companies, as well as regulators in 13 of the 19 states in which United Water has operations.

United Water will be filing with the BPU within the next several weeks. New Jersey law requires the board to consider the impact on competition, employees, rates, and service in approving any utility takeovers. The deal is expected to be completed by the middle of next year.

Under terms of the sale, united Water investors will receive $35 in cash for each share of stock held. In addition, they will

receive an additional 48 cents a share in dividends, including a bonus of 6 cents per share in each of the next three quarters and an extra 30 cents per share when the deal is finalized.

That amounts to a 54 percent premium over the stock's closing price of $23.06 a share on Aug. 12, a date both sides agreed to, the day before the stock began its upward climb. Since then, as rumors of the takeover spread, the stock has soared. On Monday, it closed at $33.50, up $2.43 : a share.

"Whoopee, whoopee, whoopee!" said John Anelli of Park Ridge, a long-time United Water investor, who has been critical of the company's management for not increasing the stock's value. "What else can I say? That's exactly what I hoped they would do."

Anelli said that with the buyout, his 12,000 shares of United Water stock - that's without what's in my grand-kid's name - will have tripled in value since he bought them.

Not everyone welcomed the sale.

Investors will lose the steady dividend that has been a prime attraction of United Water stock, and get hit with large capital gains taxes. Employees will n longer receive stock options that have been a cornerstone of the company's incentive plan, and some environmentalists question whether a company with no roots in New Jersey would be concerned about local water quality.

No water utilities in the United States are foreign-owned, although Yorkshire Water plc of England reached an agreement in June to purchase Aquarion Co. of Bridgeport, Conn., for $600 million in cash and debt, and Suez Lyonnise's major rival, Vivendi, has a stake in many U. S. water companies. Suez Lyonnaise, France's second-largest water company, also briefly owned 100 percent of General Waterworks, a Delaware company that merged with United Water in 1994.

In addition, two U.S, electric companies have been acquired by British companies in the past year. All three are awaiting regulatory approval.

"When it comes to something as precious to life as water,

[foreign ownership] raises some serious concerns," said Jeff Tittel, director of the Sierra Club in New Jersey.

"Will a company based in France be concerned about protecting the quality of water in New Jersey, or will they care more about protecting the bottom line in their investment?" Tittle asked. "I'd rather have a board of directors that has to drink that water."

Burton Hall, chairman of the river Vale Neighborhood Association and a critic of United Water's land management policies, expressed similar concerns.

"If you look at the course of events from Hackensack Water to United Water Resources, which started an aggressive development of the watershed, I don't like the progression," Hall said. "The people in control are less and less interested in the welfare of the community, and more interested in the profit points."

Correll said the takeover should have no impact on United Water's land use, which has been criticized for years by residents in the Pascack Valley who object to plans to build on former watershed property. Land use issues will still be managed by the existing management team, he said.

"The same holds true for local water operations," he said. "The utility customer who lives in Teaneck, and has been getting water for 100 years, will not see any change in the level of service, and hopefully it will be enhanced over time."

But there will be changes for investors, which include many retirees, company employees, and North Jersey customers. United Water has been listed on the New York Stock Exchange since 1889 and paid cash dividends on its common stock continuously since 1886.

Even Anelli, who is retired, said he wouldn't be so happy if he didn't have the stock in an individual retirement account, where the profits get rolled back in. "I would be screaming because I would have to pay the full capital gains tax all at once," he said.

That was a complaint of many Orange & Rockland Utilities Inc. shareholders, who said they would have preferred a stock

swap, rather than cash, when the company was purchased by Consolidated Edison.

"But a stock swap was not a possibility in the United Water deal, because Suez Lyonnaise is not traded on the New York Stock Exchange," Correll said. "Even so, when investors look at the overall deal, including the extra dividends, they should be happy," he said.

So, too, should employees. Some analysts credit United Water's recent strength in part to its stock incentive program, which Correll called one of the most generous in the industry.

"Suez shares our philosophy, and has provided stock options to its employees," Correll said. "They understand the need for incentives to reward people for operating efficiently. I fully expect that they will continue that."

Related Case: Chase Mortgage Services v. Moretti, et al.

Judgment Below Appealed from
Hon. Gerald C. Escala, Superior Court of New Jersey, Chancery Division, Bergen County, New Jersey. February 9, 1999. Case Title in Trial Court:

Chase Mortgage Services, Inc. - v - Salvatore Moretti and Mrs. Salvatore Moretti, his wife; The Bank of New York, N.A.; Hackensack Water Company; Mayor John Zisa; Louis J. Dinice; Timothy J. Sullivan; Ellen L. Koblitz, J.S.C. & State of New Jersey; Henry J. Amoroso,

Salvatore Moretti on the brief, Canal Street Station, P. O. Box 1306, New York, New York 10013

PROCEDURAL HISTORY

There are two conflicting procedural histories, one from the point of view of the plaintiff Chase Mortgage Services, one from the point of view of the appellant, Moretti. Chase Mortgage Services (hereafter, Chase) believes the case is a simple mortgage foreclosure, but Moretti believes the case is not. For example, at page 278a [page 278a in the appellant Moretti's appendix attached to the brief] Rajan Patel, a member of the law firm of Fein, Such, Kahn, & Shepard, submitted a certification on August 16, 1998 to the Chancery

Division of the Superior Court in Bergen County, Chase Mortgage Services v. Moretti, et al. Docket No. F-16923-97, which states as follows:

> The within action is a simple foreclosure action regarding real property known as 390 Park Street, Hackensack, New Jersey. The subject property was purchased by the defendant, Salvatore Moretti, by deed dated September 30, 1986 (sic) which was recorded October 6, 1990 (sic) in the Bergen County Clerk's Office in Deed Book 6593 at page 623, et. seq.

The transfer of title from Linfante to Moretti shown at page 236a. clearly shows the above information is incorrect. The deed shown at DB 6593 p. 623 was recorded October 6, 1980, six days after the September 30, 1980 date on the deed. If the property was mortgaged for $45,000 on November 29, 1985, as Patel states in the next sentence, how could the property be bought and the deed recorded five years after the mortgage. The issue of filing priorities here is significant.

On April 7, 1997, appellant Salvatore Moretti filed a complaint (page 86a) in the United States District Court in Newark, New Jersey, which was docketed 97cv01742 (JWB). The complaint stated that due to the taking of his property located at 391-395 Park Street, Hackensack, the plaintiff required a composition and extension in order to meet his mortgage obligations on his Park Street properties. The twenty unit apartment house was paid off in 1978. The additional property at 390 Park Street, Hackensack provided some additional storage space, and some additional office space; also, there were three bedrooms on the second floor. The twenty unit apartment buildings contained only one bedroom apartments. The complaint sought just compensation for the regulatory taking of the two buildings which were assessed at $733,000. Appellant alleged and proved in over three hundred photographs attached to the complaint, BER-L-5678-97, that tenants had committed waste at 391-395 Park Street (as well as at 390 Park Street, Hackensack) for which damages are provided at N. J. Rev. Statutes Ann. 2A:65-3.

On April 11, 1997, appellant Moretti filed his First Amended Complaint with the federal district trial court; the complaint was served upon United Water Resources, Inc. (which had terminated water service due to an alleged failure to pay a water bill [page 192a]), the City of Hackensack (which shut down the buildings on April 1, 1997[page 194a]), and upon the State of New Jersey (which had accompanied Hackensack inspectors making inspections on the property for a year prior to the taking).

Finally, on October 6, 1997, appellant Moretti filed his Second Amended Complaint reproduced at the appendix 86a through 172a; this complaint named the Chase Manhattan Bank as a defendant. The fourth claim for relief specifically named Chase as denying loans (at page 196a) to appellant Moretti (page 149a) and the appellant charges bank red-lining which resulted in speculation on Park Street properties. The complaint states (at page 150a) that Chase demanded three years of federal income tax 1040 forms showing positive cash flows, and that loans were denied (page 196a) predicated upon the alleged inability to meet current obligations. Appellant Moretti concludes as follows:

> This (banking) inconsistency, we shall see, is a pattern for the creation of residential abandonment, white flight, and arson. Redlining has been associated with block-busting, which has been proven in the case at bar, viz. the foreclosure sales at the two new condominiums on Park Street testify to the difficulty of dealing with tenants and realtors in the neighborhood(151a). Consider that banks have been using tax sales to purchase 3,000 Bergen county properties at a discount since 1988.

This process had resulted in a major fire destroying a house adjacent to 395 Park Street; the house has remained in its gutted condition for several years. The adjacent house, 111 Passaic Street, had burned down prior and been demolished. (Across the street and/or adjacent, the Ratner Oldsmobile dealership/Panhandlers store stands vacant, as well as the

Multi-Pak compactor factory. Bank fraud is particularly noticeable in the current instance when appellant Moretti himself was robbed at the Citibank Branch No. 11 of rental receipts (158a). The robbery resulted in the filing of federal and state lawsuits. The complaint filed is the New York Supreme Court, Second Department, Second Judicial District, was docketed 2727-96 and is dated January 25, 1996 (page 200a). The lawyers for Chase discount all of this.

Patel's certification states at page 278a. paragraph 6, that, "the plaintiff (Chase Mortgage Services) filed a Complaint in Foreclosure on October 14, 1997 as Docket Number F-16923-97." This certification states at page 279a. paragraph 8 that sheriff's service was made on November 18, 1997 through a competent household member over the age of fourteen (14) years. The certification does not state why this service is assumed to be valid. In fact, the service was not made upon a member of the household of Salvatore Moretti. A good definition conveying the meaning of this term is provided as follows:

> Household: A collective group living in a house, acknowledging the authority of a head, the members of which with few exception, are bound by marriage, blood, affinity, or other bond, between whom there is an intimacy and by whom there is felt a concern with and an interest in the life of all that gives it a unity. - Attorney's Pocket Dictionary.
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> Household: Those who live in the same household subject to the general management and control of the head thereof. Family and household are substantially synonymous terms for certain purposes. Black's Law Dictionary - Fifth Edition.

On October 8, 1998, appellant Moretti argued in his brief before the New Jersey Supreme Court (at page 245a):

> [D]espite numerous problems at 390 Park Street, Hackensack, N. J. including tenant problems with

> Freeman, in which doors were glued shut (petitioner [Moretti] was arrested and incarcerated at [246a] the Bergen County jail operated by the Sheriff's Office of Bergen County), the Bergen County sheriff's department served Chase Mortgage Services' summons and complaint on a non-party unrelated person. Chase Mortgage now claims that personal service was not required since petitioner Moretti was not in business because the building was a single family.

Due to the condemnation of 391-395 Park Street, Hackensack, New Jersey on April 1, 1997 (page 195a), appellant Moretti received many inquiries from realtors and law offices offering quick sale all cash offers to pay off creditors. All involved vastly increased mortgages but failed to provide for loan repayment by the tenancies which were in effect on April 1, 1997. Many lawyers offered services both to refinance and to evade bankruptcy/foreclosures. Despite this, the Chancery court in Bergen County or in Trenton never contacted appellant Moretti to advise him that there was an uncontested mortgage foreclosure pending before them whose outcome threatened the sale of 390 Park Street, Hackensack; it was only through his own efforts that Moretti eventually learned the details for himself. Appellant was occupied by another case in the law division which he advised chancery of and the Chase Mortgage law office; it was docketed as BER-L-5678-97, an inverse condemnation case. Moretti served the complaint by Order to Show Cause; the return date, June 19, 1997, he sat in the chambers of Judge Isabel Stark with the defendants present on speaker-phone. The complaint stated a cause of action violative of the New Jersey condemnation statute, N. J. Stat. Ann. 20:3-2 et seq. Another case which required attention was a chancery case in Bergen entitled 391-395 Park Street Equities v. Salvatore Moretti et al., docket no. F-7502-98; this case involved a number of notices; the net result of these cases was that litigation was multiple and tedious due to failure to follow court rules.

Patel states that a sheriff's notice of sale was published (page 279a, paragraph 12) in July and August, 1998, but there were three thousand such notices published, making individual attention to them impossible [note for example the tally of tax sales in Bergen from 1993-1997 at page 151a, as well as the deed vault search of sales shown at 152a to 157a].

At page 281a Patel claims that junior lienors were joined by amending the complaint effective October 16, 1998; note that none of those lienors held liens as a result of a valid court trial. Appellant Moretti never attended a hearing at which the lien was found legal or binding. Koblitz, for example, held a summary judgment hearing after judge Polito ruled the water consumption case should go to trial; he was replaced in Special Civil Part by Koblitz who had participated in the trial of Stedtler, a tenant at 395 Park Street. Koblitz ruled at a summary judgment hearing without evidence or testimony in favor of the Hackensack Water Company. Another lien resulted when appellant Moretti sought to act on behalf of defendant Stedtler who was thrown in women's prison for six years after having been evicted due to termination of water and utilities at her apartment at 395D Park Street. The judge who fined Moretti never appeared in court; he assumed that there was no case to hear. In fact, the junior lienors held small liens outstanding, which could have been cured by a modest loan from Chase Manhattan Bank - no loans at all were made by Chase which replaced National Community Bank as mortgage holder. Despite the assessment of 391-395 Park Street at $733,000, and 390 Park Street at about $130,000 ($75,000 more than the sale price at the sheriff's sale), and 387 Park Street at $135,000, there was no more than $75,000 of mortgage loans outstanding on all the properties. The rent roll was $13,000 per month.

Fein, Such, Kahn, and Shepard attorney Patel disagrees with the weight to be given to Chase Manhattan as a cause of Moretti's financial problem as follows:

> Mr. Moretti describes an unfortunate history with his tenants, vandalism, alleged theft of his rental

> moneys, alleged wrongdoing by his water utility company and others to describe his financial plight. However, none of these circumstances were brought about or contributed to, by the within plaintiff. Any such problems Mr. Moretti may have endured are the result of external forces totally beyond the control of the plaintiff herein. (page 280a, paragraph 16)

This statement is of questionable validity. For example, if Chase Manhattan Bank had loaned appellant $6,655.11 to pay Koblitz's water judgment [184a], his building would not have been shut down [193a-196a] from April 1, 1997 to March 8, 1999 resulting in a $13,000 per month rental loss totaling $312,000.

At paragraph 19 of Patel's certification (page 283a, page 66a) Patel defends Neil Gross' certification, which certification is appended to the October 8, 1997 complaint in foreclosure. The certification reads as follows:

> CERTIFICATION
>
> I hereby certify that the matter in controversy is not the subject of any other court proceeding or arbitration and that, to the best of our knowledge, and belief, no other parties need be joined at this time, and that no other proceedings are contemplated. (s) Neil Gross.

Clearly, the purpose of this certification is to advise the court of related actions to eliminate waste of judicial time. There were at least five related actions pending in October, 1997, but both Gross and Patel ignored them; no member of the law firm of Fein, Such, Kahn, & Shepard ever called appellant Moretti to advise himself of what those related actions were, despite Moretti's telephone number being listed at 390 Park Street, Hackensack as (201) 487-5179.

On November 16, 1998, James E. Shepard, a member of the law firm of Fein, Such, Kahn, & Shepard, argued in his brief before the United States Supreme Court (Case 98-6497) that,